

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA CLARA

--000--

STEVEN HUNZIKER, KATE SCHUCHMANN,
VIRGINIA SANDERS,

PLAINTIFFS,

VS.

APPLIED MATERIALS, INC., A DELAWARE
CORPORATION; APPLIED SCHOLASTICS, INC.,
A CALIFORNIA CORPORATION; WORLD
INSTITUTE OF SCIENTOLOGY ENTERPRISES,
A FLORIDA CORPORATION; JAMES MORGAN,
LINDA OXMAN, GLEN TONEY, JAMES DELONG,
NANCY DEVITA, ANN BRANNAN, JOHN KANE,
JAMES BAGLEY, INGRID GUDENAS, BOB
JOHNSON, STEVE REA, JIM RYAN, GLEN
SOPP, AND DOES 1 THROUGH 100,
INCLUSIVE,

DEFENDANTS.

NO. 692629

3-26-92
COPY

DEPOSITION OF GERALD ARMSTRONG

THURSDAY, MARCH 12TH, 1992

VOLUME II

(PAGES 183 - 337)

REPORTED BY:

JUDITH S. DOUTHIT, CSR #4531

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1 BE IT REMEMBERED THAT, PURSUANT TO NOTICE OF
2 TAKING DEPOSITION, AND ON THURSDAY, MARCH 12TH, 1992,
3 COMMENCING AT THE HOUR OF 10:25 A.M. THEREOF, AT THE LAW
4 OFFICES OF JOHN CLIFTON ELSTEAD, ESQ., 4900 HOPYARD ROAD,
5 SUITE 240, PLEASANTON, CALIFORNIA 94588, BEFORE ME, JUDITH
6 S. DOUTHIT, CSR #4531, A DULY LICENSED CERTIFIED SHORTHAND
7 REPORTER IN THE STATE OF CALIFORNIA, PERSONALLY APPEARED

8
9 GERALD ARMSTRONG,

10
11 CALLED AS A WITNESS BY THE DEFENDANTS, WHO, HAVING BEEN
12 FIRST DULY SWORN, WAS THEREUPON EXAMINED AND TESTIFIED AS
13 IS HEREINAFTER SET FORTH.

14
15 --OOO--

16
17 LAW OFFICES OF JOHN C. ROGALSKI, 615 COLE STREET,
18 #14, SAN FRANCISCO, CALIFORNIA 94117, APPEARED AS COUNSEL
19 ON BEHALF OF THE PLAINTIFFS.

20
21 ORRICK, HERRINGTON & SUTCLIFFE, 555 CAPITOL MALL,
22 SUITE 1200, SACRAMENTO, CALIFORNIA 95814, BY CYNTHIA L.
23 REMMERS, ESQ., APPEARED AS COUNSEL ON BEHALF OF THE
24 DEFENDANTS.

25
26 ALSO PRESENT: MARIE CAWLEY, ESQ.

EXAMINATION (RESUMED):

(DISCUSSION OFF THE RECORD)

MS. REMMERS: I'D LIKE YOU TO SWEAR MR. ARMSTRONG AGAIN, PLEASE.

(WITNESS SWORN)

BY MS. REMMERS: Q. YOU REALIZE YOU ARE UNDER OATH AGAIN HERE IN THIS DEPOSITION?

A. YES.

Q. NOW, YOU HAVE PRODUCED SOME DOCUMENTS THAT YOU DID NOT HAVE AVAILABLE WITH YOU LAST TIME, AND, AS I UNDERSTAND IT, YOU'VE DONE SOME ADDITIONAL WORK BETWEEN LAST TIME AND TODAY; IS THAT RIGHT?

A. RIGHT.

Q. HAVE YOU NOW COMPLETED THE WORK YOU NEED TO DO IN ORDER TO TESTIFY AS AN EXPERT WITNESS IN THIS CASE?

A. I HAVE DONE SUFFICIENT WORK TO TESTIFY AS A WITNESS. IT IS MY PREDICTION --

Q. AS A WITNESS OR AS AN EXPERT?

A. AS AN EXPERT.

IT IS MY PREDICTION THAT BETWEEN NOW AND THE TRIAL, I WILL DO ADDITIONAL WORK.

MS. REMMERS: WE'RE NOT PREPARED TO GO FORWARD THEN. YOU KNOW THE RULES. I AM ENTITLED TO HAVE THIS MAN PREPARED, IF HE INTENDS TO TESTIFY AS AN EXPERT, AND I'M NOT GOING TO BE DRAGGED BACK IN TO DAY AFTER DAY OF DEPOSITION

1 WHEN WE'RE IN TRIAL PREP. THIS IS AN ABSOLUTE OUTRAGE; I'M
2 GETTING SICK OF IT.

3 MR. ROGALSKI: WOULD YOU CARE TO ASK HIM WHAT
4 ADDITIONAL WORK HE THINKS HE MAY HAVE TO DO?

5 MS. REMMERS: I WILL ASK HIM THAT BUT --

6 THE WITNESS: RIGHT, AND SO THAT WE UNDERSTAND,
7 IF I DO NO ADDITIONAL WORK, I AM COMPETENT TO TESTIFY AS AN
8 EXPERT IN THE MATTERS IN THIS CASE. THAT'S FACT ONE.

9 HOWEVER, TO PRECLUDE ME FROM ANY INVOLVEMENT IN
10 THIS CASE BETWEEN NOW AND THE TIME OF TRIAL, I DON'T THINK
11 IS A PART OF ANY LOGICAL JUDICIAL ORDER OF ANY KIND. I
12 DON'T THINK I'M PRECLUDED FROM LOOKING AT MY MATERIALS, FROM
13 TALKING TO THE WITNESSES, FROM DOING ANY OF THOSE THINGS.

14 NEVERTHELESS, I AM PREPARED RIGHT NOW TO TESTIFY
15 AS AN EXPERT WITNESS. I THINK THAT'S CLEAR.

16 BY MS. REMMERS: Q. MR. ARMSTRONG, HAS MR.
17 RUMMONDS OR ANYONE FROM HIS OFFICE, OR MR. ELSTEAD OR ANYONE
18 FROM HIS OFFICE, OR MR. ROGALSKI TOLD YOU YOU SHOULD
19 CONTINUE PREPARING RIGHT UP TO THE DAY OF YOUR TESTIMONY AT
20 TRIAL?

21 A. I HAVE NOT DISCUSSED THAT WITH THEM.

22 Q. NO ONE HAS TOLD YOU THAT YOU SHOULD BE FULLY
23 PREPARED HERE TODAY, WITH ALL OF YOUR WORK COMPLETE?

24 A. THAT'S DIFFERENT FROM YOUR QUESTION.

25 Q. OKAY, HAS ANYONE, ANY LAWYER TOLD YOU THAT YOU
26 SHOULD TODAY BE FULLY PREPARED WITH YOUR RESEARCH COMPLETE?

1 A. I AM FULLY PREPARED WITH MY RESEARCH COMPLETE.

2 Q. BUT YOU'VE JUST TESTIFIED THAT YOU INTEND TO DO
3 MORE BETWEEN NOW AND TRIAL?

4 A. YOU MISINTERPRET THAT. WHEN YOU'RE TRYING TO
5 HAVE ME CONSTRICTED SO THAT I AM NOT ALLOWED BETWEEN NOW AND
6 TRIAL TO CONSIDER THIS CASE, TO THINK ABOUT THE CASE, TO
7 TALK TO ANYONE, THAT'S NOT -- THAT'S NOT FAIR. IT'S SILLY.

8 Q. THAT ISN'T WHAT I SAID, MR. ARMSTRONG.

9 A. THEN IN ANSWER TO YOUR QUESTION, MY RESEARCH AS
10 IT RELATES TO THIS MATTER AND MY PRODUCTIONS OF DOCUMENTS AS
11 IT RELATES TO THIS MATTER IS COMPLETE AS FAR AS WHAT YOU
12 NEED AT THIS DEPOSITION.

13 BETWEEN NOW AND TRIAL, I VERY EASILY MAY
14 COMMUNICATE TO THE PLAINTIFFS, TO THEIR LAWYERS. I MAY
15 REVIEW THE MATERIALS WHICH I HAVE PRODUCED. I MAY DO A
16 NUMBER OF THINGS, BUT I FEEL THAT I'M COMPLETE ENOUGH TO BE
17 HERE TODAY AND HONESTLY ANSWER YOUR QUESTIONS AND GIVE YOU
18 MY EXPERT OPINIONS.

19 Q. OKAY, SO THAT ANYTHING YOU MAY DO BETWEEN TODAY
20 AND TRIAL, OR BETWEEN NOW, THIS MOMENT, AND TRIAL WOULD JUST
21 BE REFRESHING ON WHAT YOU'VE ALREADY DONE; IS THAT CORRECT?

22 A. IT PROBABLY WILL BE REFRESHING. THERE MAY ALSO
23 BE OTHER FACTS WHICH I DO NOT KNOW ABOUT, WHICH COME INTO MY
24 KNOWLEDGE. I CAN'T PREDICT THAT. NOR CAN YOU PREDICT THAT.
25 BUT I'M PREPARED TO GO AHEAD TODAY.

26 Q. WELL, JUST SO WE GET THIS STRAIGHT, IF YOU

2

1 ANTICIPATE DOING FURTHER WORK THAT WOULD THEN GO INTO THE
2 FORMATION OF YOUR OPINION AND THE FOUNDATION FOR YOUR
3 OPINION, I NEED TO KNOW THAT BECAUSE THEN THIS DEPOSITION IS
4 NOT GOING FORWARD, AND YOU'RE GOING TO BE PRECLUDED FROM
5 TESTIFYING AT TRIAL, BECAUSE YOU WERE SUPPOSED TO, AND YOU
6 WERE HERE WHEN MR. ELSTEAD SAID THAT YOU WOULD BE FULLY
7 PREPARED, THAT YOU WOULD HAVE COMPLETED YOUR RESEARCH, YOU
8 WOULD HAVE COMPLETED THE REVIEW OF YOUR DOCUMENTS, AND YOU
9 WOULD BE HERE, PREPARED TO TESTIFY FULLY AND FINALLY ON YOUR
10 OPINIONS IN THIS CASE.

11 DO YOU REMEMBER THAT DISCUSSION?

12 A. I DID NOT HAVE THAT DISCUSSION. YOU'RE TALKING
13 ABOUT TODAY OR THE FIRST TIME?

14 Q. I'M TALKING ABOUT THE FIRST DAY, WHEN WE
15 SUSPENDED THE DEPOSITION, RECOGNIZING THAT YOU WERE NOT
16 FULLY PREPARED, AND THAT YOU WOULD BE DOING THIS ADDITIONAL
17 WORK IN GATHERING DOCUMENTS THAT YOU SAID WERE IN YOUR
18 POSSESSION AND SOME WERE NOT IN YOUR POSSESSION.

19 AND YOU HAD ORIGINALLY SAID YOU THOUGHT YOU COULD
20 DO IT BY THE 18TH. WE HAD SAID WE'D LIKE YOU TO DO IT BY
21 THE 12TH. AND MR. ELSTEAD INFORMED ME LATER YOU WOULD BE
22 FULLY PREPARED ON THE 12TH WHICH IS TODAY.

23 A. RIGHT, SO HAVE AT IT. IN THAT SENSE I'M FULLY
24 PREPARED. I WILL CONSIDER THESE THINGS AND TALK TO PEOPLE
25 AND REVIEW THESE MATERIALS BETWEEN NOW AND TRIAL, VERY
26 LIKELY.

1 Q. OKAY, IF WHAT YOU'RE TALKING ABOUT IS REFRESHING
2 YOURSELF ON THE DOCUMENTS YOU'VE ALREADY PRODUCED TO US AND
3 THE OPINIONS YOU HAVE GIVEN US AND WILL GIVE US TODAY, I
4 UNDERSTAND THAT.

5 IF YOU INTEND NOW TO DO FURTHER RESEARCH THAT
6 WILL GO INTO THE FORMATION OF YOUR OPINION OR THE FOUNDATION
7 OF YOUR OPINION, THAT IS UNACCEPTABLE, AND I THINK MR.
8 ROGALSKI WILL TELL YOU THAT.

9 MR. ROGALSKI: I DON'T THINK HE CAN BE PRECLUDED
10 FROM LOOKING AT INFORMATION THAT DOES NOT NOW CURRENTLY
11 EXIST IN THE FORM OF DEPOSITIONS OF OTHER PERSONS WHO MAY
12 STILL BE SUBJECT TO DISCOVERY HERE. I THINK MR. ARMSTRONG
13 IS TAKING A VERY CAUTIOUS ATTITUDE IN MERELY SAYING THAT HE
14 WON'T BE RESTRICTED FROM LOOKING AT STUFF THAT HE DOESN'T
15 YET KNOW ABOUT.

16 MS. REMMERS: ARE WE LIMITING THAT TO A
17 DEPOSITION THAT HAS NOT BEEN TAKEN YET?

18 MR. ROGALSKI: OR OTHER FORMS OF DISCOVERY.

19 MS. REMMERS: LIKE WHAT? DISCOVERY IS CLOSED IN
20 THIS CASE.

21 MR. ROGALSKI: OKAY, ANYTHING THAT HAS NOT
22 CURRENTLY COME TO MR. ARMSTRONG'S ATTENTION, THAT HE HASN'T
23 WEIGHED IN FORMING THE OPINIONS HE'S PREPARED TO DISCUSS
24 TODAY.

25 MS. REMMERS: THAT'S NOT THE LAW. OBVIOUSLY,
26 TOMORROW MR. ELSTEAD COULD HAND HIM A BOX OF MATERIALS THAT

1 HAVE BEEN EXTANT AND DEFEAT THE ENTIRE PURPOSE OF THIS
2 DEPOSITION. AND THAT'S NOT WHAT'S GOING ON; I'M NOT GOING
3 TO BE A PARTY TO IT.

4 IT HAS NOW BEEN TIME AFTER TIME WE HAVE COME TO
5 THESE DEPOSITIONS WITH THE EXPERTS ON THE OTHER SIDE OF THIS
6 CASE NOT PREPARED. I WANT TO UNDERSTAND, AND I WANT YOU TO
7 UNDERSTAND, BECAUSE IT'S MY PRECIOUS TIME THAT'S TAKEN IN
8 DRIVING ALL THE WAY OVER HERE TO DO THESE DEPOSITIONS WHERE
9 PEOPLE ARE NOT PREPARED. IT HAPPENED WITH DR. GREEN, AND IT
10 HAPPENED WITH A NUMBER OF OTHER WITNESSES AS WELL, AND I'M
11 JUST TIRED OF IT.

12 BY MS. REMMERS: Q. SO I WANT THE GROUND RULES
13 HERE CLEAR, BECAUSE WHAT I'M GOING TO DO IS NOT DRAG YOU
14 BACK AGAIN, I'M GOING TO MOVE THE COURT TO EXCLUDE YOUR
15 TESTIMONY HERE ENTIRELY BECAUSE YOU'RE NOT PREPARED. IF
16 YOU'RE TELLING ME YOU'RE GOING TO GO ON AND REVIEW ANYTHING
17 THAT IS ALREADY IN EXISTENCE, THAT COULD HAVE BEEN PROVIDED
18 TO YOU BEFORE TODAY, I'M GOING TO SUSPEND THE DEPOSITION AND
19 MOVE TO PRECLUDE YOUR TESTIMONY.

20 A. THEN I DON'T THINK YOU NEED TO DO THAT. I'M NOT
21 RESPONSIBLE FOR WHATEVER DIFFICULTIES YOU'VE HAD WITH OTHER
22 WITNESSES OR -- IN THIS OR SOME OTHER CASE SOMEWHERE. WE
23 HAVE MET TWICE. I THINK THAT IN THE FIRST DEPOSITION, I
24 CAME PREPARED WITH A STACK OF DOCUMENTS WHICH TOOK US
25 THROUGH A WHOLE DAY OF UNSTOPPED DEPOSITION. I'M BACK HERE
26 AGAIN WITH ANOTHER MASS OF DOCUMENTS.

1 Q. YEAH, ARE YOU GOING TO BE BACK AGAIN NEXT WEEK
2 WITH ANOTHER MASS, MR. ARMSTRONG?

3 A. THAT'S NOT MY INTENTION. I HAVE PRODUCED
4 EVERYTHING THAT I AM GOING TO RELY UPON AS AN EXPERT WITNESS
5 IN THIS CASE.

6 Q. OKAY, FINALLY, WE GET A CLEAR STATEMENT. ON THAT
7 BASIS, I WILL GO FORWARD WITH THE DEPOSITION AND WE'LL SEE
8 WHAT YOU HAVE.

9 WHY DON'T WE GO OFF THE RECORD FOR A MINUTE WHILE
10 WE TALK ABOUT THE DOCUMENTS HE'S GOT HERE, TO SEE HOW WE'RE
11 GOING TO HANDLE THE LOGISTICS OF COPYING.

12 (DISCUSSION OFF THE RECORD)

13 MS. REMMERS: LET'S GO BACK ON THE RECORD.

14 THE WITNESS: OKAY, THIS IS FROM THE CASE OF
15 CHURCH OF SCIENTOLOGY VERSUS GERALD ARMSTRONG. IT'S THE
16 MEMORANDUM OF INTENDED DECISION. THAT WAS UPHELD ON APPEAL,
17 AND IT WENT AS FAR AS THE CALIFORNIA SUPREME COURT. AND
18 THIS DENIAL OF A PETITION FOR REVIEW ENDS THAT MATTER.

19 BY MS. REMMERS: Q. OKAY, WHAT RELEVANCE DOES
20 THIS HAVE, THESE TWO PIECES OF PAPER?

21 A. IT HAS TO DO WITH MY KNOWLEDGE OF ORGANIZATION
22 OPERATIONS, THE HISTORY OF L. RON HUBBARD, FAIR GAME, AND
23 THE BASIC NATURE OF THE SCIENTOLOGY ORGANIZATION.

24 Q. AND THAT'S WHAT YOU'RE TESTIFYING ABOUT HERE?

25 A. RIGHT.

26 Q. NOW, THERE'S NO DATE ON THIS DECISION . . .

1 A. YES, THERE IS.

2 Q. . . . MEMORANDUM OF INTENDED DECISION.

3 A. KEEP READING THROUGH. YOU'LL FIND A DATE.

4 Q. WHERE IS THE DATE?

5 A. RIGHT AT THE END OF IT.

6 Q. I SEE PAGE 15 WITH NO DATE.

7 A. THAT'S AN APPENDIX TO THE DECISION. OKAY, YOU'RE
8 GETTING CLOSE. RIGHT THERE.

9 Q. OKAY. JUNE 20TH, 1984?

10 A. RIGHT.

11 Q. SO AS OF JUNE 20TH, 1984, THIS JUDGE DETERMINED
12 YOU HAD KNOWLEDGE OF SOME OF THE MATTERS YOU'VE JUST
13 DESCRIBED; RIGHT?

14 A. RIGHT.

15 Q. OKAY. WHAT ELSE?

16 A. THESE ARE DOCUMENTS WHICH HAVE COME FROM
17 SCIENOTOLOGY'S TECHNICAL BULLETINS, BOUND VOLUMES. THEY'RE
18 OFTEN CALLED THE RED VOLUMES, AND THEY'RE ALL ENTITLED
19 TECHNICAL BULLETINS.

20 Q. ARE THEY ALSO IN THESE ORANGE BINDERS?

21 A. NO.

22 Q. OKAY.

23 A. AND I'VE DIVIDED THESE UP. FROM EACH VOLUME THAT
24 I TOOK DOCUMENTS OR COPIED DOCUMENTS FROM, I'VE CLIPPED TO
25 THE COVER PAGE, TITLE PAGE OF EACH ONE OF THEM.

26 Q. AND WHAT IS THE SIGNIFICANCE OF THESE DOCUMENTS?

1 A. THEY RELATED SPECIFICALLY TO MATERIALS WHICH WERE
2 INCLUDED IN THE COURSE PACKS OF APPLIED SCHOLASTICS AND
3 W.I.S.E., AND TO EARLIER TRAINING MATERIALS WITHIN APPLIED
4 MATERIALS, SPECIFICALLY THE A.R.C. TRIANGLE.

5 Q. OKAY.

6 A. THIS IS A SET OF DOCUMENTS CALLED POLICY LETTERS,
7 WHICH I COPIED FROM A BOOK WHICH IS CALLED THE BASIC STAFF
8 VOLUME 0, FROM THE ORGANIZATION EXECUTIVE COURSE, AN
9 ENCYCLOPEDIA OF SCIENTOLOGY POLICY. SOME OF THE POLICIES
10 HEREIN ARE IDENTICAL TO THE INSTRUCTION PAGES WITHIN MANUALS
11 WHICH ARE PART OF THIS CASE.

12 I'VE ALSO INCLUDED HERE SOME POLICIES WHICH --
13 WHICH ARE NOT INCLUDED, BUT WHICH INDICATE THE EMPHASIS IN
14 SCIENTOLOGY POLICY, SCIENTOLOGY TERMINOLOGY AND TECHNOLOGY
15 ON HARSH TREATMENT AND PUNISHMENT.

16 Q. IS THAT WHAT YOU CALL THE FAIR GAME POLICY?

17 A. FAIR GAME IS A PHILOSOPHY OR DOCTRINE WHICH
18 UNDERPINS A LOT OF THE ACTIONS WHICH ARE TAKEN AGAINST
19 CRITICS OF SCIENTOLOGY.

20 Q. HAVE YOU INCLUDED THERE THE WRITTEN FAIR GAME
21 DOCTRINE?

22 A. YES.

23 Q. IS THAT IN A POLICY?

24 A. YES, LET ME GET THAT IN JUST A MINUTE.

25 THE BASIC FAIR GAME POLICY COMES FROM A POLICY
26 LETTER OF 18 OF OCTOBER 1967, ENTITLED "PENALTIES FOR LOWER

1 CONDITIONS."

2 AND AT THE BOTTOM OF IT YOU'LL SEE, "ENEMY - SP
3 ORDER. FAIR GAME," AND A DESCRIPTION OF WHAT THAT MEANS.

4 Q. WAS THIS EVER RESCINDED BY THE CHURCH OF
5 SCIENTOLOGY?

6 A. NO.

7 Q. DID THIS APPEAR IN ANY OF THESE TECHNICAL
8 BULLETINS OR ANY OF THE MATERIALS IN THE ORANGE BINDERS THAT
9 YOU'VE GOT THERE?

10 MR. ROGALSKI: YOU MEAN THAT EXACT DOCUMENT OR
11 THE POLICY?

12 MS. REMMERS: THIS DOCUMENT, A REFORMULATION OF
13 IT OR ANY SUCH THING.

14 THE WITNESS: IT APPEARED IN THE ORIGINAL POLICY
15 LETTERS WHICH ARE IN THAT BASIC FORMAT. THE REPUBLICATION
16 OF SCIENTOLOGY POLICIES INTO VOLUMES SUCH AS THIS IN THE
17 ORGANIZATION EXECUTIVE COURSE IN PRESENT DAY, AT LEAST THIS
18 VOLUME, DOES NOT INCLUDE THAT POLICY. FAIR GAME DOES APPEAR
19 IN POLICIES SUBSEQUENT TO THAT 1967 POLICY.

20 BY MS. REMMERS: Q. AND WHERE IS THAT, ANY
21 WRITINGS SINCE 1967 ABOUT FAIR GAME? DO YOU HAVE THEM?

22 A. I'M NOT CERTAIN IF I HAVE. I'D HAVE TO GO
23 THROUGH THAT VOLUME THERE. I BROUGHT THAT BECAUSE IT'S THE
24 BASIC STUFF --

25 Q. AND YOU'RE REFERRING TO A DOCUMENT THAT STARTS
26 WITH "MERRY CHRISTMAS A.D. 36 . . ."

1 A. RIGHT.

2 Q. ". . . FROM RELIGIOUS TECHNOLOGY CENTER"?

3 THIS SAYS "ORGANIZATION EXECUTIVE COURSE, AN
4 ENCYCLOPEDIA OF SCIENTOLOGY POLICY," BRIDGE PUBLICATIONS,
5 AND IT LOOKS TO BE COPYRIGHT 1986, L. RON HUBBARD LIBRARY;
6 CORRECT?

7 A. RIGHT. RIGHT.

8 Q. AND THE POLICY, AS YOU'VE HANDED ME, WHICH WE'LL
9 MARK AS AN EXHIBIT HERE, WHICH WE'LL MARK AS EXHIBIT 4 --

10 A. IS THIS ANYBODY'S COFFEE? NO? I'M GOING TO GET
11 RID OF IT THEN.

12 Q. WHAT HAS NOW BEEN MARKED AS EXHIBIT 4, OR WILL
13 BE, IS WHAT YOU CALL THE FAIR GAME POLICY?

14 A. RIGHT.

15 MS. REMMERS: THAT'S A 1-PAGE OR ONE SHEET OF
16 PAPER, COPYRIGHT 1967.

17 [DOCUMENT ENTITLED "PENALTIES FOR LOWER
18 CONDITIONS" WAS MARKED AS DEFENDANT'S
EXHIBIT NO. 4 FOR IDENTIFICATION.]

19 MS. REMMERS: AND YOU'VE NOW TOLD US -- LET'S
20 MAKE THIS DOCUMENT THAT SAYS "THE ORGANIZATION EXECUTIVE
21 COURSE" EXHIBIT 5.

22 [MULTIPAGE DOCUMENT, THE FIRST PAGE
23 HEADED "MERRY CHRISTMAS A.D. 36 FROM
24 RELIGIOUS TECHNOLOGY CENTER" WAS MARKED
AS DEFENDANT'S EXHIBIT NO. 5 FOR
IDENTIFICATION.]

25 BY MS. REMMERS: CAN WE KEEP THESE COPIES?

26 A. NO.

1 Q. OKAY. EXHIBIT 5 IS THE ORGANIZATION EXECUTIVE
2 COURSE, BASIC STAFF . . .

3 A. VOLUME ZERO.

4 Q. . . . VOLUME ZERO. AND IT DOES NOT CONTAIN THIS
5 FAIR GAME POLICY THAT'S NOW EXHIBIT 4; CORRECT?

6 A. RIGHT.

7 Q. CAN YOU PRODUCE ANY DOCUMENT FOR ME THAT REFLECTS
8 A DATE SINCE 1967 IN WHICH THE CHURCH OF SCIENTOLOGY ISSUED
9 A POLICY SUCH AS THE FAIR GAME POLICY WHICH IS EXHIBIT 4?

10 A. IN WHICH THEY ISSUED A POLICY SUCH AS?

11 Q. WELL, THIS SAME POLICY, OR ANY FAIR GAME POLICY,
12 BUT LET'S START WITH THIS POLICY.

13 WAS IT REISSUED AT ANY TIME WHEN THEY REISSUED
14 ALL OF THEIR OTHER POLICIES?

15 A. NOT THAT SPECIFIC ONE, BUT THE USE OF THE TERM
16 FAIR GAME HAS BEEN REUSED IN SUBSEQUENT ISSUES.

17 Q. OKAY, CAN YOU SHOW ME SUBSEQUENT WRITTEN
18 DOCUMENTS THAT USE THE TERM FAIR GAME POLICY?

19 A. I CAN GET YOU FROM THIS VOLUME WHICH I PRODUCED
20 AT THE LAST DEPOSITION --

21 Q. WHAT DATE WAS THAT WRITTEN?

22 A. THIS IS REPRINTED 1986.

23 Q. BUT WHAT DATE WAS IT WRITTEN? START WITH: WHAT
24 DATE WAS IT WRITTEN? THAT WAS MY QUESTION.

25 MR. ROGALSKI: DO YOU MEAN COPYRIGHT?

26 BY MS. REMMERS: Q. WHAT DATE WAS IT WRITTEN?

1 A. WHAT?

2 Q. THE BOOK YOU'RE LOOKING --

3 A. YOU'RE MISUNDERSTANDING SOMETHING.

4 Q. WHAT'S THE NAME OF THE BOOK YOU'RE LOOKING AT SO
5 WE KEEP THIS STRAIGHT?

6 A. "MODERN MANAGEMENT TECHNOLOGY DEFINED. HUBBARD
7 DICTIONARY OF ADMINISTRATION AND MANAGEMENT" BY L. RON
8 HUBBARD.

9 Q. WHAT DATE DID MR. HUBBARD WRITE THAT BOOK IS MY
10 FIRST QUESTION?

11 A. IT'S COPYRIGHTED 1976, REPRINTED 1986.

12 Q. WHAT DATE DID HE WRITE IT? YOU WERE HIS
13 BIOGRAPHER. WHAT DATE DID HE WRITE THIS BOOK?

14 A. YOU'RE ASSUMING HE WROTE IT.

15 Q. ARE YOU SAYING HE DID NOT WRITE IT?

16 A. LET ME JUST GET THIS. "THIS BOOK IS PART OF THE
17 WORKS OF L. RON HUBBARD, WHO DEVELOPED DIANETICS, SPIRITUAL
18 HEALING TECHNOLOGY, AND SCIENTOLOGY, APPLIED RELIGIOUS
19 PHILOSOPHY."

20 Q. I'M ASKING YOU A QUESTION, MR. ARMSTRONG.
21 DID MR. HUBBARD WRITE THIS VOLUME, TO YOUR
22 KNOWLEDGE, IF YOU KNOW?

23 A. MR. HUBBARD DID NOT WRITE THE VOLUME.

24 Q. DID HE WRITE THE THINGS THAT ARE IN THE VOLUME?

25 A. FOR THE MOST PART, YES.

26 Q. OKAY, WHAT DATE DID HE WRITE THOSE THINGS?

1 A. HE WROTE THEM AT DIFFERENT DATES.

2 Q. WHAT'S THE LATEST DATE THAT ANYTHING IN THERE WAS
3 WRITTEN, TO YOUR KNOWLEDGE?

4 A. OH, I WILL TAKE A MOMENT TO REVIEW IT AND SEE
5 WHAT I CAN COME UP WITH. HERE'S ONE 1974. HERE'S ONE '75.

6 Q. SO WAS IT FIRST PUBLISHED IN 1976, THIS
7 COLLECTION OF HIS WORK? WELL, DO YOU KNOW THE PUBLICATION
8 DATE?

9 A. WELL, I HAVE THE COPYRIGHT DATE, AND I MYSELF
10 RECEIVED A COPY SOMEWHERE AROUND 19 -- MY RECOLLECTION IS
11 '78 IS WHEN I FIRST SAW OR FIRST POSSESSED A COPY MYSELF.
12 BUT THIS CLAIMS TO BE 1976, AND THIS PRINTING IS 1986.

13 Q. OKAY. SO IT APPEARS THAT IT WAS FIRST PUBLISHED
14 IN 1976. SO ONE WOULD ASSUME THERE COULDN'T BE ANYTHING IN
15 THERE THAT WAS WRITTEN AFTER 1976, CORRECT, IF IT WAS FIRST
16 PUBLISHED IN 1976?

17 A. UNLESS THERE ARE -- UNLESS THERE HAVE BEEN
18 SPECIFIC REVISIONS.

19 Q. WOULD THAT SAY THEN "REPRINTED WITH REVISIONS"?

20 A. IT MAY SAY. IT DOESN'T SAY SO. IT JUST SAYS
21 "REPRINTED IN 1986." BUT THIS DOES INCLUDE THE DEFINITION,
22 THEIR DEFINITION FROM ANOTHER POLICY LETTER, OF FAIR GAME,
23 SO IT HAS CARRIED --

24 Q. LET'S TALK ABOUT THE REFERENCE TO FAIR GAME.
25 WHERE DID YOU -- WHAT PAGE?

26 A. PAGE 196.

1 Q. OKAY.

2 A. THIS IS FAIR GAME. HERE DESCRIBED AS, "BY FAIR
3 GAME IS MEANT, MAY NOT BE FURTHER PROTECTED BY THE CODES AND
4 DISCIPLINES OF SCIENTOLOGY OR THE RIGHTS OF A
5 SCIENTOLOGIST."

6 Q. CAN I SEE THAT, PLEASE?

7 A. YEAH.

8 Q. IS THAT THE ONLY REFERENCE HERE TO FAIR GAME?

9 A. IT'S THE ONLY DEFINITION GIVEN FOR FAIR GAME IN
10 THAT VOLUME.

11 Q. AND THAT SEEMS TO REFER TO A POLICY FROM DECEMBER
12 '65; RIGHT?

13 A. RIGHT.

14 Q. OKAY, NOW IS THAT THE DEFINITION OF FAIR GAME
15 THAT YOU UNDERSTAND TO BE ACCURATE?

16 A. NO.

17 Q. SO YOU THINK --

18 A. IT'S A PART OF IT. IT'S NOT THE WHOLE THING.
19 THAT'S AN INACTIVE DEFINITION. FAIR GAME ITSELF IS AN
20 ACTIVE DEFINITION.

21 Q. WHERE CAN YOU POINT ME TO A WRITTEN, MORE
22 ACCURATE DESCRIPTION OF FAIR GAME?

23 A. OKAY, I'LL DO THAT. AND I'LL READ IT HERE.

24 Q. CAN YOU PLEASE HAND THAT BACK? THAT'S EXHIBIT 4.

25 AND I SHOULD HAVE FINISHED MY QUESTION. I MEAN,
26 SINCE THE DOCUMENT THAT YOU HAVE IN YOUR HAND, WHICH IS

1 EXHIBIT 4, WAS PUBLISHED, I'M ASKING YOU IF THERE ARE ANY
2 WRITINGS OF THE CHURCH OF SCIENTOLOGY THAT HAVE A MORE
3 ACCURATE DEFINITION IN YOUR OPINION OF FAIR GAME SINCE
4 EXHIBIT 4 WAS PUBLISHED?

5 A. NO, THIS IS THE MOST ACCURATE.

6 Q. EXHIBIT 4?

7 A. RIGHT.

8 Q. OKAY, DO YOU KNOW WHERE THEY HAVE EVER DEFINED IT
9 OTHER THAN THIS BOOK, WHICH I WILL HAVE MARKED AS EXHIBIT 6,
10 PART OF THIS BOOK? OTHER THAN THIS BOOK --

11 A. YEAH, I WOULD REQUEST, BECAUSE I NEED THE BOOK
12 BACK, THAT YOU JUST COPY THE PAGE?

13 [DOCUMENT ENTITLED, "MODERN MANAGEMENT
14 TECHNOLOGY DEFINED" WAS MARKED AS
15 DEFENDANT'S EXHIBIT NO. 6 FOR
IDENTIFICATION.]

16 BY MS. REMMERS: Q. SO OTHER THAN THIS REFERENCE
17 TO FAIR GAME AND THE DEFINITION GIVEN HERE, IS THERE ANY
18 OTHER WRITING AT ALL BY THE CHURCH OF SCIENTOLOGY ABOUT FAIR
19 GAME OTHER THAN WHAT YOU HAVE IN YOUR HAND WHICH IS EXHIBIT
20 4, OR SINCE EXHIBIT 4, I SHOULD SAY?

21 A. YES, THE WORD FAIR GAME DOES APPEAR IN OTHER
22 SCIENTOLOGY PUBLICATIONS.

23 Q. WITH A DEFINITION?

24 A. NOT -- NOT AS DEFINITE, PRECISE AND THOROUGH A
25 DEFINITION AS THIS DEFINITION.

26 Q. OKAY. WHAT DOCUMENTS --

1 A. LET ME JUST COMPLETE THAT.

2 FAIR GAME HAS ALSO BEEN DESCRIBED IN VARIOUS
3 COURT OF APPEAL OPINIONS, SPECIFICALLY WOLLERSHEIM VERSUS
4 CHURCH OF SCIENTOLOGY OF CALIFORNIA, ALLARD VERSUS CHURCH OF
5 SCIENTOLOGY OF CALIFORNIA, CHURCH OF SCIENTOLOGY OF
6 CALIFORNIA VERSUS ARMSTRONG, ALL OF WHICH ARE, I BELIEVE,
7 CALIFORNIA CASES.

8 Q. I'M ASKING YOU WHETHER YOU ARE AWARE OF ANY
9 WRITINGS BY THE CHURCH OF SCIENTOLOGY OTHER THAN THIS BOOK
10 THAT DEFINES FAIR GAME, SINCE EXHIBIT 4 WHICH YOU HAVE IN
11 YOUR HAND, IN WHICH --

12 A. NOT A MORE THOROUGH DEFINITION THAN THIS. THE
13 WORD DOES APPEAR IN SUBSEQUENT SCIENTOLOGY PUBLICATIONS.

14 Q. WHAT PUBLICATIONS?

15 A. IN OTHER VOLUMES IN THE OEC, ORGANIZATION
16 EXECUTIVE COURSE.

17 Q. AND THAT'S WHAT WE HAVE RIGHT HERE?

18 A. NO, THESE ARE TECHNICAL VOLUMES.

19 Q. OKAY. THIS IS THE EXECUTIVE COURSE?

20 A. NO, THAT'S VOLUME ZERO FROM THE EXECUTIVE COURSE.
21 THAT'S WHAT IS CURRENTLY PUBLISHED AS THE BASIC STAFF
22 VOLUME.

23 Q. WHEN YOU SAY THE WORD APPEARS, WHAT DOES IT SAY?

24 A. IT IS USED IN SCIENTOLOGY JUSTICE PUNISHMENT
25 POLICIES AS FAIR GAME.

26 Q. AND DO YOU HAVE COPIES OF THOSE?

1 A. I DON'T HAVE THEM HERE.

2 Q. BUT YOU HAVE THEM IN YOUR POSSESSION?

3 A. I CAN OBTAIN THEM, YES.

4 Q. AND DO THEY DEFINE THEM? IN THIS EXECUTIVE
5 COURSE, DO THEY DEFINE FAIR GAME IN ANY WAY INCONSISTENT
6 WITH THE DEFINITION IN EXHIBIT 6 WHICH IS THIS BOOK?

7 A. I DON'T BELIEVE SO.

8 Q. ANY OTHER MENTION OF FAIR GAME SINCE 1967 WHEN
9 EXHIBIT 4 WAS PUBLISHED?

10 A. FAIR GAME IS MENTIONED -- I WOULD HAVE TO CHECK
11 THE DATE ON THIS, BUT THERE IS -- THERE ARE SOME ETHICS
12 ORDERS WHICH INCLUDE THE CONDITION OF FAIR GAME FROM AROUND
13 THAT PERIOD.

14 Q. AROUND WHAT PERIOD?

15 A. AGAIN, CHECKING THE DATE, AROUND OCTOBER 18TH,
16 1967. THERE IS A POLICY LETTER WHICH I BROUGHT ALONG OF 21
17 OCTOBER 1968 RELATING TO FAIR GAME.

18 Q. WHAT DOES IT SAY?

19 A. IT SAYS -- IT'S ENTITLED, "CANCELLATION OF FAIR
20 GAME. THE PRACTICE OF DECLARING PEOPLE FAIR GAME WILL
21 CEASE. FAIR GAME MAY NOT APPEAR ON ANY ETHICS ORDER. IT
22 CAUSES BAD PUBLIC RELATIONS. THIS POLICY LETTER DOES NOT
23 CANCEL ANY POLICY ON THE TREATMENT OR HANDLING OF AN SP.
24 L. RON HUBBARD."

25 Q. SO IN 1968, THE POLICY WAS CANCELED; CORRECT?

26 A. NO, THE PRACTICE AND THE USE OF THE WORD FAIR

1 GAME WAS CANCELED. THE ACTUAL POLICY ON THE TREATMENT OR
2 HANDLING OF AN SP WAS NOT CANCELED.

3 MR. ROGALSKI: WHAT IS AN SP?

4 THE WITNESS: A SUPPRESSIVE PERSON. SCIENTOLOGY
5 DIVIDES THE WORLD UP INTO OKAY PEOPLE AND SUPPRESSIVE
6 PERSONS. AND SUPPRESSIVE PERSONS ARE THOSE THAT THE
7 ORGANIZATION DESIGNATES AS FAIR GAME OR ENEMIES OF THE
8 ORGANIZATION.

9 MS. REMMERS: OKAY, WE'LL MAKE THAT EXHIBIT 7.

10 [DOCUMENT ENTITLED, "CANCELLATION OF
11 FAIR GAME" WAS MARKED AS DEFENDANT'S
EXHIBIT NO. 7 FOR IDENTIFICATION.]

12 BY MS. REMMERS: Q. DO YOU KNOW WHETHER THE
13 CHURCH HAS PUT OUT ANY OTHER DESCRIPTIONS OR POLICIES
14 REGARDING FAIR GAME OTHER THAN THOSE THAT YOU'VE PRODUCED
15 HERE TODAY?

16 A. I'VE -- I PRODUCED FOR YOU THE OTHER DAY A
17 DOCUMENT WHICH HAD BEEN FILED IN THE APPEAL IN THE ARMSTRONG
18 CASE, WHICH WAS THE DECLARATION FROM MARK RATHBUN, EXECUTED
19 IN APPROXIMATELY OCTOBER, MAYBE SEPTEMBER 1991, WHICH GIVES
20 THE ORGANIZATION'S PUBLIC RELATIONS STANCE WITH REGARD TO
21 THE TERM FAIR GAME, THE POLICY OF FAIR GAME.

22 Q. IN WHICH HE DEFINES IT CONSISTENT WITH THIS BOOK;
23 CORRECT, WHICH IS EXHIBIT 6?

24 A. RIGHT.

25 Q. AND HE DENIES THAT IT INCLUDES ANY UNETHICAL OR
26 ILLEGAL ACTIVITIES DIRECTED TO PEOPLE WHO ARE NOT IN THE

1 CHURCH; CORRECT?

2 A. RIGHT.

3 Q. AND YOU DISAGREE WITH THAT?

4 A. RIGHT.

5 Q. ON WHAT GROUNDS?

6 A. ON THE GROUNDS THAT THE ORGANIZATION TAKES A VERY
7 AGGRESSIVE, VERY ACTIVE, AND ILLEGAL POSITION, ILLEGAL
8 ACTIONS TOWARDS INDIVIDUALS WHOM IT CONSIDERS ARE CRITICS.

9 Q. WHAT ILLEGAL ACTIONS ARE YOU AWARE OF THAT THE
10 CHURCH OF SCIENTOLOGY HAS TAKEN TOWARD ITS CRITICS?

11 A. I MYSELF HAVE BEEN SPIED ON, ASSAULTED, RUN
12 INTO --

13 Q. WELL, BEING SPIED ON IS NOT ILLEGAL, IS IT?

14 A. IT'S PART OF FAIR GAME.

15 Q. WELL, IF SOMEBODY JUST WATCHES YOU, IS THAT
16 ILLEGAL IN YOUR OPINION?

17 A. OH, TO HARASS SOMEONE TO THE DEGREE THAT I WAS
18 HARASSED, IT IS.

19 Q. LET'S START WITH SPIED ON. LET'S KEEP THIS
20 STRAIGHT. SPIED ON: IS THAT ILLEGAL?

21 A. IT DOESN'T NECESSARILY HAVE TO BE. SPYING
22 THROUGH SOMEONE'S WINDOWS CAN BE.

23 Q. DID SOMEBODY SPY THROUGH YOUR WINDOWS?

24 A. PRETTY WELL, YEAH.

25 Q. HOW DO YOU KNOW?

26 A. THEY WERE PARKED IN A CAR RIGHT OUTSIDE MY

1 WINDOWS.

2 Q. DID THEY PEER -- DID SOMEONE COME UP TO YOUR
3 WINDOW AND PEER IN?

4 A. I COULDN'T SEE THAT.

5 Q. SO YOU DON'T KNOW WHETHER SOMEBODY ACTUALLY SPIED
6 INTO YOUR PRIVATE --

7 A. I SAW THEM LOOKING ONTO MY LOT.

8 Q. IS THAT ILLEGAL, FOR SOMEBODY TO LOOK ONTO YOUR
9 PROPERTY FROM A CAR?

10 A. PROBABLY NOT. IT APPEARED AS IF THEY WERE
11 LOOKING THROUGH WINDOWS.

12 Q. THROUGH THE CAR WINDOW?

13 A. I'VE HAD -- THROUGH THE --

14 Q. THEY WERE SITTING IN A CAR?

15 A. THROUGH MY WINDOW, LOOKING THROUGH THE FENCE,
16 PEERING THROUGH THE FENCE INTO MY WINDOW.

17 Q. AND DO YOU CONSIDER THAT ILLEGAL?

18 A. IN THE CONTEXT IN WHICH IT HAPPENED, YEAH. IT
19 WAS PART OF A CAMPAIGN OF HARASSMENT, AND I BELIEVE THAT A
20 CAMPAIGN OF HARASSMENT OF THAT NATURE, THAT MAGNITUDE, BASED
21 ON MANUFACTURED EVIDENCE IS ILLEGAL.

22 Q. WHAT IS THE MANUFACTURED EVIDENCE THAT YOU'RE
23 REFERRING TO?

24 A. THIS ORGANIZATION HAS BROUGHT CRIMINAL CHARGES
25 AGAINST ME ON THREE SEPARATE TIMES.

26 Q. CRIMINAL CHARGES? WHAT CHARGES? STEALING

1 DOCUMENTS?

2 A. OR FOR IMPERSONATING AN F.B.I. AGENT.

3 Q. WAIT, LET'S SLOW DOWN A MINUTE.

4 A. OR FOR --

5 Q. CAN YOU PLEASE WAIT.

6 ARE YOU SAYING THE CHURCH OF SCIENTOLOGY BROUGHT
7 CRIMINAL CHARGES IN A CRIMINAL COURT AGAINST YOU FOR
8 IMPERSONATING AN F.B.I. OFFICER?

9 A. WELL, THEY BROUGHT THEM TO THE F.B.I.

10 Q. WERE YOU CRIMINALLY PROSECUTED?

11 A. I WAS INVESTIGATED.

12 Q. BUT YOU WERE NOT CHARGED; CORRECT?

13 A. RIGHT.

14 Q. AND THEN THE CHURCH, YOU BELIEVE, BROUGHT WHAT
15 OTHER KINDS OF CRIMINAL CHARGES?

16 A. IN CONNECTION WITH THE HUBBARD DOCUMENTS.

17 Q. YOUR STEALING OF DOCUMENTS?

18 A. I DIDN'T STEAL DOCUMENTS.

19 Q. WELL, THE COURT FOUND THAT YOU ACTUALLY STOLE
20 DOCUMENTS; ISN'T THAT CORRECT?

21 A. NO.

22 Q. THE COURT FOUND YOU REMOVED THEM?

23 A. NO.

24 Q. SO YOU NEVER TOOK ANY DOCUMENTS FROM THE CHURCH
25 OF SCIENTOLOGY?

26 A. THE DOCUMENTS THAT I TOOK FROM THE ORGANIZATION,

1 I WAS TO TAKE PURSUANT TO A CONTRACT AND DELIVER THEM TO A
2 WRITER, WHICH I DID. THEY ATTEMPTED TO MAKE THAT INTO A
3 CRIMINAL ACTIVITY. BUT THAT SOON GOT SHOWN FOR WHAT IT WAS
4 BECAUSE I WAS ABLE TO SHOW THAT THE ORGANIZATION -- THAT
5 THERE WAS A CONTRACT FOR ME TO DO SPECIFICALLY WHAT I DID.

6 WHAT I THEN DID, WHEN THE ORGANIZATION BEGAN ITS
7 CAMPAIGN OF ATTACK AND HARASSMENT, WAS TO GO BACK TO THE
8 AUTHOR AND, WITH HIS PERMISSION, OBTAIN FROM HIM DOCUMENTS
9 WHICH I WOULD NEED FOR MY DEFENSE, WHICH DOCUMENTS I
10 FORWARDED TO MY LAWYERS, WHO ENDED UP DEFENDING ME WITH
11 THOSE VERY DOCUMENTS.

12 Q. WHICH AUTHOR DID YOU GET PERMISSION FROM?

13 A. OMAR GARRISON.

14 Q. SO ARE YOU SAYING THAT YOU TOOK NO DOCUMENTS FROM
15 THE CHURCH OF SCIENTOLOGY THAT DID NOT RIGHTFULLY BELONG TO
16 YOU?

17 A. RIGHT.

18 Q. AND YOU NEVER HAVE . . .

19 A. RIGHT.

20 Q. . . . AT ANY TIME IN YOUR LIFE?

21 A. RIGHT. NOW, WHEN YOU SAY RIGHTFULLY BELONG TO
22 ME, I DELIVERED, JUST SO WE'RE CLEAR, IN THE PERFORMANCE OF
23 MY DUTIES AS THE HUBBARD BIOGRAPHICAL RESEARCHER, I
24 DELIVERED COUNTLESS THOUSANDS OF PAGES OF DOCUMENTS TO OMAR
25 GARRISON. AND THAT I WAS CALLED UPON TO DO.

26 Q. RIGHT.

1 A. AND THAT'S WHAT I DELIVERED TO HIM.

2 Q. FOR THE PURPOSE --

3 A. AT ANOTHER TIME --

4 Q. AND THAT WAS FOR THE PURPOSE OF MR. GARRISON
5 ASSISTING IN WRITING THE BIOGRAPHY; CORRECT?

6 A. HE WAS CONTRACTED TO WRITE THE BIOGRAPHY.

7 Q. AND THEN YOU TOOK THOSE DOCUMENTS FOR A DIFFERENT
8 PURPOSE, NOT AN AUTHORIZED PURPOSE, GAVE THEM TO YOUR
9 LAWYER; CORRECT?

10 A. AT ANOTHER TIME --

11 Q. IS THAT CORRECT, MR. ARMSTRONG?

12 A. IF YOU WILL ALLOW ME TO ANSWER.

13 Q. WELL, I'M ASKING YOU IF THAT'S CORRECT?

14 A. THEN LET ME PUT IT IN A FORM WHICH IS CORRECT.

15 Q. IS THAT NOT CORRECT?

16 A. LET ME JUST STATE IT SO THAT IT IS CORRECT. IT
17 ISN'T CORRECT.

18 Q. OKAY.

19 A. I WENT TO MR. GARRISON AND OBTAINED FROM HIM
20 DOCUMENTS WHICH I DEEMED WOULD BE NECESSARY FOR MY DEFENSE
21 AND WERE, IN FACT, USED IN MY DEFENSE. AND IT IS THOSE
22 DOCUMENTS WHICH I SUBSEQUENTLY SENT TO MY LAWYERS.

23 Q. OKAY, AND YOU HAD NOT BEEN AUTHORIZED BY THE
24 AUTHOR OF THOSE DOCUMENTS, L. RON HUBBARD, TO USE THEM FOR
25 ANY PURPOSE OTHER THAN THE BIOGRAPHY; CORRECT?

26 A. CORRECT.

1 Q. SO YOU DID REMOVE THEM FOR A PURPOSE OTHER THAN A
2 PURPOSE THAT WAS AUTHORIZED; ISN'T THAT RIGHT?

3 A. I HAD THE PERMISSION OF THE AUTHOR OF THE
4 BIOGRAPHY TO USE THEM.

5 Q. DID YOU TELL THE AUTHOR --

6 A. THAT WAS OMAR GARRISON.

7 Q. DID YOU TELL THE AUTHOR OF THE BIOGRAPHY TO WHAT
8 PURPOSE YOU WANTED TO USE THEM?

9 A. YEAH, HE KNEW.

10 Q. AND YOU BELIEVE THAT THAT AUTHORIZED YOU THEN,
11 BECAUSE THE AUTHOR OF THE BIOGRAPHY WHO HAD A CONTRACT TO DO
12 THIS BIOGRAPHY ALLOWED YOU TO TAKE THEM FOR A PURPOSE OTHER
13 THAN WHAT YOU HAD DELIVERED THEM FOR, YOU BELIEVE THAT
14 AUTHORIZED YOU?

15 A. OH, I BELIEVE THAT I WAS AUTHORIZED IN THAT SENSE
16 BY REALITY, THAT AGAINST THIS ORGANIZATION, WHICH I KNEW WAS
17 CAPABLE OF COMMITTING ALL KINDS OF AGGRESSIVE AND CRIMINAL
18 ACTS, FOR WHICH THE TOP PEOPLE IN THE GUARDIAN'S OFFICE HAD
19 BEEN PROSECUTED AND JAILED IN FEDERAL PRISON.

20 Q. WERE THEY CONVICTED OF SOMETHING?

21 A. CONVICTED, YES.

22 Q. OF WHAT?

23 A. THEY RANGED FROM BURGLARY THROUGH OBSTRUCTION OF
24 JUSTICE.

25 Q. WAS THAT WHILE YOU WERE IN THE CHURCH?

26 A. RIGHT.

1 Q. AND WHO WAS THAT THAT WAS CONVICTED?

2 A. MARY SUE HUBBARD, MO, M-O, BUDLONG,
3 B-U-D-L-O-N-G, DICK WIGAND, W-I-G-A-N-D, I BELIEVE, JANE
4 KEMBER, K-E-M-B-E-R.

5 Q. THESE ARE ALL PEOPLE THAT WERE CRIMINALLY
6 PROSECUTED FOR ACTIVITIES CONNECTED WITH THE CHURCH?

7 A. RIGHT.

8 Q. AND CONVICTED?

9 A. RIGHT.

10 Q. AND JAILED?

11 A. RIGHT.

12 Q. WHEN WAS MARY SUE HUBBARD CONVICTED OF A CRIME
13 AND JAILED?

14 A. MY RECOLLECTION IS THAT THE CONVICTION HAPPENED
15 IN '79.

16 Q. AND BUDLONG?

17 A. AROUND THE SAME TIME. BUDLONG AND KEMBER ENDED
18 UP BEING EXTRADITED FROM THE U.K. IN CONNECTION WITH THE
19 SAME OPERATION. AND THEIR CONVICTION -- TRIAL AND
20 CONVICTION WAS AFTER THE OTHER NINE PARTICIPANTS.

21 Q. IN 1979?

22 A. (WITNESS NODS HEAD)

23 CINDY RAYMOND.

24 Q. THE PEOPLE YOU'VE LISTED WERE ALL CONVICTED FOR A
25 PARTICULAR INCIDENT?

26 A. RIGHT.

1 Q. AND WHAT WAS THAT?

2 A. IT HAD TO DO WITH THE THEFT OF DOCUMENTS FROM IRS
3 OFFICES IN WASHINGTON, D.C., AND THEN THE HIDING OUT OF A
4 SCIENTOLOGY OPERATIVE WHO HAD BEEN INVOLVED IN THE THEFT OF
5 THE DOCUMENTS.

6 Q. NOW THE ILLEGAL ACTIONS, TO GO BACK, THAT WERE
7 TAKEN AGAINST YOU, YOU SAID YOU WERE SPIED ON.

8 WHAT WERE THE OTHERS? JUST LIST FOR ME THE OTHER
9 THINGS YOU BELIEVE THE CHURCH HAS DONE TO YOU THAT ARE
10 ILLEGAL.

11 A. FALSE CRIMINAL CHARGES, FILED FALSE --

12 Q. AND THAT WAS --

13 A. AFFIDAVITS.

14 Q. LET ME GO BACK TO SUMMARIZE.

15 THAT WAS THE F.B.I., IMPERSONATING AN F.B.I.
16 OFFICER, THEFT OF DOCUMENTS. AND WAS THERE ANYTHING ELSE?

17 A. THERE WERE A NUMBER OF CHARGES WHICH THEY
18 ATTEMPTED TO BRING WHICH FLOWED FROM AN OPERATION THEY RAN
19 AGAINST ME UNTIL THE FALL OF 1984 WHICH THEY HAVE CALLED THE
20 ARMSTRONG OPERATION. AND THAT WAS AN ATTEMPT BY SCIENTOLOGY
21 AGENTS AND ORGANIZATION PRIVATE INVESTIGATORS TO FRAME ME
22 WITH THE COMMISSION OF A CRIME.

23 Q. AND WHAT WAS THAT? WHAT WAS THE COMMISSION OF
24 THE CRIME YOU WERE FRAMED WITH?

25 A. OH, THEY TRIED A NUMBER. THEY WANTED ME TO
26 ACCEPT STOLEN PROPERTY. THEY TRIED TO GET ME TO --

1 Q. DID YOU ACCEPT STOLEN PROPERTY?

2 A. NO.

3 Q. WHAT KIND OF STOLEN PROPERTY DID THEY ASK YOU TO
4 ACCEPT?

5 A. THEY TRIED TO GET ME TO ACCEPT MY PRE-CLEAR
6 FOLDERS. PRE-CLEAR FOLDERS ARE THE FOLDERS WHICH THE
7 SCIENTOLOGY ORGANIZATION MAINTAINS, WHICH CONTAIN THE RECORD
8 OF STATEMENTS MADE DURING SCIENTOLOGY AUDITING.

9 Q. DID YOU --

10 A. AND HE --

11 Q. WHO TRIED TO GET YOU TO ACCEPT THESE? YOU SAY
12 HE. WHO IS THAT?

13 A. WELL, THE PERSON WHO IN THAT CASE PLACED THE CALL
14 TO ME WAS -- HE WENT BY THE CODE NAME JOEY.

15 Q. HE OFFERED THEM TO YOU, I TAKE IT?

16 A. RIGHT.

17 Q. AND DID YOU TURN THEM DOWN?

18 A. TURNED THEM DOWN.

19 Q. WHAT ELSE DID THEY TRY TO GET YOU TO ACCEPT?

20 A. THEY WANTED ME TO FLY TO LAS VEGAS TO MEET WITH A
21 BACKER, WHICH WAS, IN MY ESTIMATION, AN ATTEMPT TO GET ME TO
22 CROSS STATE LINES IN VIOLATION OF THEIR CIVIL RIGHTS, THAT
23 THEY HAD CONCOCTED A CIVIL RIGHTS VIOLATION ACT AND THEY
24 TRIED TO GET ME TO DO THAT.

25 Q. WHO TRIED TO GET YOU TO DO THAT?

26 A. SAME GUY, JOEY. AND I'M TRYING TO THINK OF HIS

1 NAME BECAUSE I SUBSEQUENTLY ESTABLISHED WHO HE ACTUALLY WAS.

2 Q. WELL, DID YOU ASK JOEY TO DO ANYTHING ILLEGAL?

3 A. NO.

4 Q. DID YOU ASK JOEY TO OBTAIN ANY DOCUMENTS FOR YOU?

5 A. OH, HE SAID HE COULD.

6 Q. DID YOU EVER ASK JOEY TO OBTAIN ANY DOCUMENTS FOR
7 YOU?

8 A. UH-HUH..

9 Q. YES, YOU DID?

10 A. YEAH.

11 Q. DOCUMENTS THAT WERE CHURCH PROPERTY?

12 A. PUBLIC DOCUMENTS.

13 Q. YOU ASKED HIM ONLY FOR PUBLIC DOCUMENTS?

14 A. YEAH, PUBLIC POLICIES. THEY'RE REGULAR ISSUES.
15 JUST FOR THE REGULAR ISSUES.

16 Q. THAT'S WHAT YOU ASKED HIM FOR, THINGS THAT ARE
17 AVAILABLE TO ALL PUBLIC -- ANYBODY? FOR INSTANCE, I COULD
18 GO AND ASK FOR COPIES AND THEY WOULD GIVE THEM TO ME AS A
19 MEMBER OF THE PUBLIC; IS THAT WHAT YOU'RE SAYING?

20 A. YOU COULD. IT DEPENDS ON WHAT LEVEL OF THE
21 PUBLIC YOU'RE AT, I SUPPOSE. BUT IT'S LIKE THESE POLICIES
22 HERE. THEY'RE AVAILABLE. THESE ARE AVAILABLE.

23 (INDICATING)

24 Q. SO WHAT YOU'RE SAYING IS, THE ONLY THING YOU
25 ASKED JOEY TO GET FOR YOU ARE THINGS THAT WOULD HAVE BEEN
26 AVAILABLE TO YOU FROM OTHER SOURCES HAD YOU JUST ASKED OR

1 READ A BOOK?

2 A. OH, I WASN'T IN A POSITION TO ASK.

3 Q. BUT YOU SAID THEY WERE PUBLIC DOCUMENTS. SO YOU
4 COULD HAVE RECEIVED THEM JUST THROUGH PUBLIC MEANS?

5 A. IT WAS POSSIBLE. HE WAS JUST -- HE WAS ANOTHER
6 SOURCE. YOU HAVE TO UNDERSTAND THAT THESE GUYS CAME TO ME
7 ON THE BASIS OF THEIR BEING AFRAID FOR THEIR LIVES, AND THEM
8 SEEING ME AS SOMEONE WHO THEY WERE LOOKING TO FOR SUPPORT.

9 THEY WANTED TO END THE CRIMINAL LEADERSHIP OF THE
10 ORGANIZATION, AND GERALD ARMSTRONG, BEING WILLING TO HELP
11 AND WILLING TO STICK HIS NECK OUT, DID SO, BUT IT WAS ON THE
12 BASIS OF THEIR COMING TO ME OUT OF FEAR WITH A REQUEST TO
13 HELP.

14 Q. DID YOU, IN YOUR ATTEMPT TO HELP, SUGGEST THAT
15 DOCUMENTS COULD BE PLANTED IN THE CHURCH OF SCIENTOLOGY THAT
16 WOULD BE INCRIMINATING?

17 A. NO, THAT'S AN ORGANIZATION LINE WHICH HAS BEEN
18 STATED OVER AND OVER AGAIN WHICH IS NOT TRUE. WHAT I STATED
19 WAS THAT THE PEOPLE WHO WANTED TO REFORM THE ORGANIZATION
20 COULD DOCUMENT THROUGH THEIR WORK THE CRIMES THAT THEY'RE
21 TALKING ABOUT.

22 THEY CAME TO ME AND TOLD ME THAT THEY WERE A
23 GROUP OF 35 REFORMERS IN THE ORGANIZATION WHO WERE LOYAL
24 . . .

25 Q. MR. ARMSTRONG --

26 A. . . . LOYAL TO THE PHILOSOPHY OF SCIENTOLOGY, BUT

1 WHO FELT THAT THE LEADERSHIP HAD GONE CRIMINAL. THEY WERE
2 OPERATING CLANDESTINELY THROUGH FEAR.

3 AND SO I HOOKED UP WITH THESE GUYS IN ORDER TO
4 STRIKE UP A COMMUNICATION LINE, TO SEE WHETHER OR NOT
5 THROUGH SOME WAY PEACE COULD BE BROUGHT.

6 Q. OKAY, SO AT NO TIME DID YOU EVER SUGGEST TO THEM
7 THAT INCRIMINATING DOCUMENTS COULD BE PLANTED AT THE CHURCH
8 OF SCIENTOLOGY; IS THAT CORRECT?

9 A. WHAT I TOLD YOU --

10 Q. IS THAT CORRECT? AT NO TIME DID YOU SUGGEST TO
11 JOEY OR ANYONE ELSE THAT INCRIMINATING DOCUMENTS COULD BE
12 PLANTED IN THE CHURCH OF SCIENTOLOGY?

13 A. NOT PLANTED, AND NOT THE WAY YOU SAID IT.

14 AS I SAID IT, I STATED IT TO THEM.

15 Q. SO YOU USED NO WORDS TO THAT EFFECT, THAT
16 DOCUMENTS THAT WOULD BE INCRIMINATING COULD BE PUT IN COMM
17 BASKETS, FOR INSTANCE?

18 A. THAT THEY COULD DOCUMENT KNOWN CRIMES IN THEIR
19 COMMUNICATION WITHIN THE ORGANIZATION, YES.

20 Q. BUT YOU DIDN'T SUGGEST TO THEM THAT THEY COULD
21 PUT, LET'S SAY, FALSIFIED OR MODIFIED DOCUMENTS IN THE
22 CHURCH THAT WOULD BE INCRIMINATING?

23 A. NO, WHAT YOU'RE TALKING ABOUT NOW IS MY
24 SUGGESTION, AND SO THAT WE UNDERSTAND THE CONTEXT IN WHICH
25 THAT HAPPENED, JOEY WAS --

26 Q. IN WHICH WHAT HAPPENED, MR. ARMSTRONG?

1 A. WHAT I'M ABOUT TO SAY IN ANSWER TO YOUR QUESTION.

2 THE PERSON THAT THEY USED TO GET CLOSE TO ME IS A
3 GUY BY THE NAME OF DAN SHERMAN. DAN SHERMAN WAS AN
4 INTELLIGENCE OPERATIVE FOR THE ORGANIZATION. JOEY WAS AN
5 INTELLIGENCE OPERATIVE FOR THE ORGANIZATION. THE
6 ORGANIZATION HAS A VERY LARGE INTELLIGENCE NETWORK.

7 Q. MR. ARMSTRONG, I HAVE TO PAY FOR YOUR TESTIMONY.

8 A. I KNOW.

9 Q. YOU HAVE DEMANDED \$250 AN HOUR IN THIS CASE. SO
10 I'M ENTITLED TO THE ANSWERS TO QUESTIONS I NEED.

11 MY QUESTION AGAIN IS, DID YOU AT ANY TIME TELL
12 JOEY OR ANYONE ELSE FROM THE CHURCH OF SCIENTOLOGY THAT
13 DOCUMENTS THAT HAD BEEN MODIFIED OR CHANGED COULD BE PLANTED
14 IN COMM BASKETS OR IN THE CHURCH OF SCIENTOLOGY TO
15 INCRIMINATE THE CHURCH?

16 A. NO.

17 Q. OKAY, THEN DID YOU AT ANY TIME SUGGEST THAT YOU
18 COULD MODIFY YOURSELF ANY OF THE DOCUMENTS THAT THEY
19 PROVIDED TO YOU FROM THE CHURCH, THAT YOU COULD ALTER THEM
20 IN SOME WAY?

21 A. NO.

22 Q. OKAY. ANYTHING ELSE THAT YOU THINK WAS PART OF
23 THIS ARMSTRONG OPERATION YOU SAY WAS ILLEGAL? I TAKE IT
24 WHAT YOU'RE SAYING IS YOU WERE SET UP?

25 A. RIGHT.

26 Q. DO YOU KNOW WHETHER YOU WERE VIDEOTAPED?

1 A. RIGHT, I WAS.

2 Q. DO YOU KNOW WHETHER THE LOS ANGELES POLICE HAD
3 AUTHORIZED THAT VIDEOTAPE?

4 A. THEY HADN'T. THE ORGANIZATION HAS MADE THE PR
5 STATEMENT THAT IT WAS A POLICE AUTHORIZED OPERATION.

6 IN FACT, THE POLICEMAN, WHO ILLEGALLY PROVIDED
7 THE SCIENTOLOGIST P.I. WITH THE DOCUMENT, WAS SUSPENDED FROM
8 THE FORCE SIX MONTHS. AND THE CHIEF OF POLICE ISSUED A
9 STATEMENT CONDEMNING THE OPERATION AND SAYING THAT THEY
10 WOULD NEVER PARTICIPATE IN SUCH A THING.

11 Q. DID YOU EVER SEE THE COPY OF THE VIDEOTAPE?

12 A. I HAVE SEEN AN EDITED VERSION OF THE VIDEOTAPE,
13 AND I'VE NOT SEEN ALL THE VIDEOTAPES.

14 Q. WHO EDITED THE VERSION YOU SAW?

15 A. I BELIEVE, BECAUSE OF THE PART WHICH WAS EDITED
16 OUT OF IT, THAT IT WAS THE OPERATIVE INGRAM.

17 Q. SO YOU FELT IN THE ONE YOU SAW, ANYWAY, IT WASN'T
18 COMPLETE?

19 A. RIGHT. WHEN, AT A CERTAIN POINT, WHEN A
20 DISCUSSION WAS BEGUN CONCERNING THE ORGANIZATION'S OPERATION
21 TO FRAME MY LAWYER WITH THE FORGERY OF A CHECK ON L. RON
22 HUBBARD'S ACCOUNT IN THE BANK OF NEW ENGLAND IN BOSTON, THE
23 AUDIO IS REMOVED FROM THE TAPE.

24 Q. OKAY, BUT THE REST OF THE TAPE SEEMED ACCURATE TO
25 YOU?

26 A. PRETTY MUCH.

1 Q. WHEN YOU SAY PRETTY MUCH, WHAT DO YOU MEAN?

2 A. WELL, THERE ARE EDITED VERSIONS OF IT. THE
3 EDITED VERSIONS ARE PRETTY INACCURATE AND PAINT A VERY
4 DISTORTED PICTURE. AND THE VIDEOTAPES THEMSELVES PAINTED A
5 DISTORTED PICTURE, ALTHOUGH THE FIRST JUDGE, AND THE ONLY
6 JUDGE THAT I KNOW OF, INDEPENDENT PERSON, TO REVIEW THE
7 TAPES, ISSUED THE STATEMENT THAT THEY ARE DAMAGING, VERY
8 DAMAGING TO THE CHURCH.

9 Q. AND WHO WAS THAT? WHAT JUDGE?

10 A. THAT WAS JUDGE LAUNDER UP -- IN THE CASE OF
11 CHRISTOFFERSON VERSUS SCIENTOLOGY AND HUBBARD, UP IN
12 MULTNOMAH COUNTY, IN PORTLAND, OREGON, 1985.

13 Q. OTHER THAN WHAT YOU'VE DESCRIBED SO FAR ABOUT THE
14 FALSE CHARGES BROUGHT AGAINST YOU, IS THERE ANYTHING ELSE?

15 A. OH, I WAS ASSAULTED --

16 Q. NO, JUST FALSE CHARGES BROUGHT AGAINST YOU.

17 A. OH, THEN THERE WERE AT LEAST THREE TIMES WHEN
18 THERE WERE ATTEMPTS TO BRING CONTEMPT OF COURT ACTIONS
19 AGAINST ME, ALL OF WHICH WERE BASED ON PERJURED STATEMENTS
20 BY SCIENTOLOGY OPERATIVES AND ALL OF WHICH WERE THROWN OUT.

21 Q. OKAY, WHEN WAS THE LAST OF THOSE?

22 A. 1986.

23 Q. ANY OTHER FALSE CHARGES?

24 A. THEN THERE HAVE BEEN CHARGES OF A FALSE NATURE
25 BUT NOT INVOLVING CRIMINAL PROCEEDINGS, BUT FALSE
26 ACCUSATIONS MADE IN OTHER CIVIL PROCEEDINGS WHICH CONTINUE

1 TO THIS DAY.

2 Q. AND YOU'VE ALSO BROUGHT CIVIL PROCEEDINGS AGAINST
3 THE CHURCH; CORRECT?

4 A. I BROUGHT A CROSS-COMPLAINT AGAINST THE
5 ORGANIZATION, WHICH WAS SETTLED IN DECEMBER 1986.

6 Q. CAN YOU GIVE ME AN EXAMPLE OF THE FALSE CHARGES
7 THAT WERE BROUGHT IN CIVIL PROCEEDINGS?

8 A. IN THE CASE OF CHURCH OF SCIENTOLOGY OF
9 CALIFORNIA VERSUS MILLER, WHICH WAS BROUGHT IN 1987 IN
10 LONDON, ENGLAND, THERE WERE THE CHARGES THAT I WAS A AGENT
11 PROVOCATEUR OF THE U.S. GOVERNMENT.

12 THERE WAS THE CHARGE THAT I HAD ATTEMPTED TO
13 PLANT FORGED DOCUMENTS IN THE ORGANIZATION AND INITIATE A
14 RAID WHICH WOULD HAVE THESE FORGED INCRIMINATING DOCUMENTS
15 FOUND. THERE WAS THE CHARGE --

16 Q. THAT WAS BASED ON THE VIDEOTAPE WE'VE BEEN
17 TALKING ABOUT?

18 A. RIGHT. THERE WAS A CHARGE MADE THAT I HAD
19 VIOLATED SEALING ORDERS IN THE ARMSTRONG CASE, ALL OF WHICH
20 OCCURRED IN MILLER.

21 Q. ANY OTHERS THAT YOU CAN DESCRIBE?

22 A. THERE'S A SERIES OF THEM WHICH HAVE NOW OCCURRED
23 IN THE CASE OF CHURCH OF SCIENTOLOGY INTERNATIONAL VERSUS
24 ARMSTRONG UP IN MARIN COUNTY.

25 AND ANOTHER SERIES WHICH OCCURRED IN THE CASE OF
26 CHURCH OF SCIENTOLOGY OF CALIFORNIA VERSUS ARMSTRONG IN L.A.

1 SUPERIOR COURT THIS LAST YEAR.

2 AND THERE'S ANOTHER SET WHICH ARE INCLUDED IN A
3 CASE CALLED CHURCH OF SCIENTOLOGY INTERNATIONAL VERSUS
4 SEVENTEEN AGENTS, SEVENTEEN CRIMINAL INVESTIGATION AGENTS OF
5 THE IRS, WHICH IS IN FEDERAL DISTRICT COURT IN L.A.

6 Q. YOU MENTIONED AN ACTION IN MARIN COUNTY.

7 WHAT IS THAT ACTION?

8 A. THAT'S A LAWSUIT FILED BY THE ORGANIZATION IN AN
9 ATTEMPT TO ENFORCE THE SETTLEMENT AGREEMENT.

10 Q. HAS THERE BEEN AN OUTCOME?

11 A. NO, THERE WILL BE A MOTION FOR A PRELIMINARY
12 INJUNCTION WHICH WILL BE HEARD ON THE 20TH OF THIS MONTH.

13 Q. AND THAT'S THE FIRST HEARING THAT THERE WILL BE?

14 A. OH, THERE HAVE BEEN A NUMBER OF HEARINGS ALL
15 ALONG. THERE WAS AN ATTEMPT ORIGINALLY --

16 Q. I'M SORRY, WHAT DATE DID YOU SAY?

17 A. MARCH 20TH.

18 Q. MARCH 20TH, OKAY.

19 HAVE THERE BEEN ANY DECISIONS SO FAR IN THAT
20 CASE?

21 A. YES, THERE WAS THE INITIAL DECISION WHICH
22 DISALLOWED AN ORGANIZATION ATTEMPT TO FILE THE COMPLAINT
23 UNDER SEAL, AND TO EXCLUDE THE PUBLIC FROM ALL HEARINGS.

24 THERE WAS ANOTHER RULING WHICH DISALLOWED THE
25 ORGANIZATION'S ATTEMPT TO FILE THE SETTLEMENT AGREEMENT
26 UNDER SEAL.

1 THERE HAVE BEEN A NUMBER OF OTHER RULINGS
2 RELATING TO CONTINUANCES.

3 THERE'S BEEN A RULING RELATING TO A TRO, WHICH
4 HAS APPARENTLY BEEN ISSUED.

5 Q. WHAT DO YOU MEAN "APPARENTLY BEEN ISSUED"?
6 WAS A TRO ISSUED?

7 A. I'VE ONLY SEEN A LITTLE NOTE ABOUT IT IN A LETTER
8 THAT AN ORGANIZATION LAWYER WROTE TO THE JUDGE WHO HAD HEARD
9 THE -- THE JUDGE WHO HAD BEEN RESPONSIBLE FOR THE ARMSTRONG
10 COURT FILE IN L.A. SUPERIOR COURT, UNTIL HE RETIRED.

11 Q. WHO'S YOUR ATTORNEY IN THAT CASE?

12 A. WHICH CASE.

13 Q. THE MARIN CASE.

14 A. FORD GREENE.

15 Q. HAS FORD GREENE SHOWN YOU A COPY OF THE TRO?

16 A. NO.

17 Q. AND YOU'VE NOT ASKED TO SEE IT?

18 A. NO.

19 Q. BUT YOU KNOW THAT THERE IS A TRO THAT RESTRAINS
20 YOU FROM DOING SOMETHING?

21 A. I'VE HEARD. AND THE ONLY THING I SAW WRITTEN ON
22 THE SUBJECT WAS A LETTER, LIKE I SAY, FROM ORGANIZATION
23 LAWYER LORI BARTELSON TO JUDGE BRECKENRIDGE.

24 Q. WHICH SAYS WHAT?

25 A. THE LETTER IS IN RESPONSE TO MY REQUEST THAT HE
26 PROVIDE A DECLARATION CONCERNING EVENTS AT THE TIME THAT THE

1 SETTLEMENT WAS ENTERED INTO, SPECIFICALLY REGARDING WHETHER
2 OR NOT HE HAD EVER SEEN THE SETTLEMENT AGREEMENT WHICH THE
3 ORGANIZATION DID NOT FILE IN THAT CASE.

4 Q. WHEN YOU SAY HE, YOU ARE TALKING ABOUT WHO?

5 A. JUDGE BRECKENRIDGE.

6 Q. OH, YOU WROTE TO JUDGE BRECKENRIDGE?

7 A. RIGHT.

8 Q. SO THEN LORI BARTELSON WROTE TO?

9 A. TO JUDGE BRECKENRIDGE. AND IN HER LETTER, WHICH
10 RESPONDED TO MY LETTER, SHE MENTIONED THAT A TRO HAD BEEN
11 ISSUED.

12 Q. DID SHE MENTION WHAT THE TRO SAID?

13 A. NO.

14 Q. BUT DID SHE SAY THE TRO -- SHE MUST HAVE
15 DESCRIBED IT IN SOME WAY?

16 A. I DON'T THINK IN ANY MEANINGFUL WAY. NOTHING
17 THAT --

18 Q. WHAT DO YOU SPECIFICALLY RECALL HER TELLING THE
19 JUDGE IN THIS LETTER ABOUT THE TRO? WHAT DOES IT
20 SPECIFICALLY SAY?

21 A. I THINK IT'S JUST KIND OF A -- SORT OF A
22 THROW-AWAY LINE. IT JUST MENTIONS THAT -- IT'S JUST A
23 ONE-LINE.

24 Q. SAYING WHAT?

25 A. MY RECOLLECTION IS THAT A TRO HAS BEEN ISSUED.

26 Q. A TRO COULD BE ISSUED ON ANY NUMBER OF DIFFERENT

1 THINGS. WHAT DID SHE SAY TO THE JUDGE THAT THE TRO HAD BEEN
2 ISSUED WITH REGARD TO?

3 A. WELL, IT'S WITH REGARD TO ME.

4 Q. WHAT WITH REGARD TO YOU?

5 A. I DON'T THINK SHE SAYS.

6 Q. AND YOU HAVEN'T BOTHERED TO ASK? YOU UNDERSTAND
7 AS A PARALEGAL THAT A TRO MEANS A TEMPORARY RESTRAINING
8 ORDER; RIGHT?

9 A. RIGHT.

10 Q. AND YOU KNOW THAT THAT MEANS IF A COURT HAS
11 ISSUED A TRO RESTRAINING YOU FROM DOING SOMETHING, THAT'S
12 THE LAW; RIGHT? YOU'RE REQUIRED NOT TO DO WHATEVER THE
13 RESTRAINING ORDER SAYS YOU CAN'T DO?

14 A. RIGHT.

15 Q. WHAT IS YOUR UNDERSTANDING OF WHAT THIS COURT HAS
16 TOLD YOU NOT TO DO?

17 A. I DON'T KNOW WHAT IT'S TOLD ME.

18 Q. AND YOU'VE NOT ASKED FORD GREENE?

19 A. I DON'T BELIEVE HE'S SEEN IT.

20 Q. HAS HE TOLD YOU HE HASN'T SEEN THE TRO?

21 A. I DON'T KNOW THAT WE'VE TALKED ABOUT IT SINCE --
22 I MEAN, HE HAS NEVER TOLD ME THAT HE'S SEEN IT.

23 Q. HAVE YOU EVER ASKED HIM WHETHER HE'S SEEN IT?

24 A. IT HAS COME UP, BUT WHAT I DISCUSSED WITH MY
25 LAWYER, I THINK, IS INAPPROPRIATE FOR YOU TO DELVE INTO, AND
26 I REFUSE TO GET INTO THAT.

1 Q. SO YOU'RE TELLING ME FROM NO SOURCE, AND YOU
2 DON'T NEED TO IDENTIFY IT, DO YOU KNOW ANYTHING ABOUT WHAT
3 YOU'VE BEEN RESTRAINED FROM DOING; IS THAT WHAT YOU'RE
4 TELLING ME HERE?

5 A. THE ONLY THING WHICH I HAVE SEEN --

6 Q. I'M NOT ASKING YOU WHAT YOU'VE SEEN. I'M ASKING
7 YOU WHETHER YOU KNOW, AS YOU SIT HERE TODAY, IF YOU KNOW
8 FROM ANY SOURCE, MR. ARMSTRONG, DO YOU KNOW WHAT THAT TRO
9 SAYS?

10 A. NO.

11 Q. DO YOU KNOW WHAT IT SAYS IN GENERAL?

12 A. NO.

13 Q. YOU HAVE NO IDEA IN THE WORLD, AS YOU SIT HERE
14 TODAY, WHAT A COURT HAS RESTRAINED YOU FROM DOING; IS THAT
15 CORRECT?

16 A. WELL, I HAVE --

17 Q. IS THAT CORRECT? YES OR NO?

18 A. I KNOW FROM YOUR APPROACH -- I KNOW YOU DON'T
19 LIKE SOME OF MY ANSWERS, BUT THERE'S NO REASON TO BE QUITE
20 AS BELLIGERENT AS YOU ARE.

21 Q. LET ME GET SOME RULES STRAIGHT HERE. I'M TAKING
22 THIS DEPOSITION. I'M PAYING A LOT OF MONEY TO YOU FOR EVERY
23 HOUR YOU SIT HERE. NOW, AS YOU SIT HERE, I'M ENTITLED TO
24 ANSWERS.

25 I TEND TO ASK QUESTIONS THAT CAN BE ANSWERED WITH
26 YES OR NO, AND YOU GIVE ME SOME ANSWER THAT I HAVEN'T ASKED

1 FOR. SO IF IT APPEARS I'M BEING BELLIGERENT -- I THINK I'M
2 BEING VERY CALM AND NICE. BUT I AM DOING MY JOB, WHICH IS
3 TO INSIST ON GETTING ANSWERS, AND IN THE QUICKEST WAY I CAN
4 DO IT, SO I DON'T HAVE TO PAY YOU MORE MONEY ON BEHALF OF
5 THIS CORPORATION THAT DOESN'T DESERVE TO BE SITTING HERE;
6 OKAY?

7 A. RIGHT, AND WHAT I WOULD SAY IN RESPONSE TO THAT,
8 BECAUSE I THINK I AM DUE A RESPONSE, IT'S THAT IF YOU WERE
9 TO PHRASE YOUR QUESTIONS SO THAT THEY COULD BE ANSWERED WITH
10 A YES OR NO, I'M HAPPY AND WE CAN MOVE ON.

11 Q. IF YOU DON'T UNDERSTAND --

12 A. BUT WHEN THEY'RE COUCHED IN A PARTICULAR WAY AND
13 PHRASED IN A PARTICULAR WAY THAT DOES NOT BRING ABOUT A YES
14 OR NO ANSWER, I SIMPLY CAN'T, AND I WANTED TO MAKE SURE THAT
15 THE RECORD IS VERY CLEAR ABOUT THAT.

16 WHAT I'M SAYING ABOUT THE BELLIGERENCE, IT'S WHEN
17 I AM COMMUNICATING, AND SUDDENLY YOU'RE COMING BACK WITH A
18 "YES OR NO," THAT'S BELLIGERENT.

19 Q. THAT'S CALLED CROSS-EXAMINATION, MR. ARMSTRONG.

20 A. OKAY, BUT THERE'S BELLIGERENT CROSS-EXAMINATION
21 AND NON-BELLIGERENT CROSS-EXAMINATION.

22 MS. REMMERS: COULD YOU READ MY QUESTION BACK?

23 BECAUSE YOU'LL SEE IT'S CAPABLE OF A YES OR NO
24 ANSWER, MR. ARMSTRONG.

25 (THE QUESTION WAS READ AS FOLLOWS:

26 "QUESTION: YOU HAVE NO IDEA IN THE WORLD, AS YOU

1 SIT HERE TODAY, WHAT A COURT HAS RESTRAINED YOU
2 FROM DOING; IS THAT CORRECT?")

3 BY MS. REMMERS: Q. DO YOU UNDERSTAND THE
4 QUESTION?

5 A. NO, THAT'S NOT CORRECT.

6 Q. CAN YOU TELL ME WHAT YOUR UNDERSTANDING IS OF
7 WHAT THE COURT HAS RESTRAINED YOU FROM DOING?

8 A. IT HAS SOMETHING TO DO WITH THE SETTLEMENT
9 AGREEMENT. IF INDEED THE COURT HAS ISSUED OR APPROVED A
10 TRO, IF INDEED, THEN IT HAS -- MY BELIEF IS IT HAS SOME
11 CONNECTION AND SOME RELATIONSHIP TO THE SETTLEMENT
12 AGREEMENT, WHICH I ENTERED INTO WITH THE ORGANIZATION IN
13 DECEMBER '86.

14 Q. WHAT ASPECT OF THE SETTLEMENT AGREEMENT?

15 A. WELL, THE SETTLEMENT AGREEMENT HAD A NUMBER OF
16 ASPECTS. ONE OF THEM MADE ME AVOID SERVICE OF PROCESS. ONE
17 ASPECT OF THE SETTLEMENT AGREEMENT MADE ME AGREE -- MADE ME
18 WAIVE MY RIGHT TO OPPOSE ANY APPEAL OR SUBSEQUENT ACTION
19 TAKEN WITH REGARDS TO THE BRECKENRIDGE DECISION.

20 THE AGREEMENT CALLED FOR ME TO NOT DISCUSS WITH
21 ANYONE OTHER THAN MY IMMEDIATE FAMILY ANY OF MY EXPERIENCES
22 OR KNOWLEDGE RELATING TO THE ORGANIZATION, L. RON HUBBARD,
23 OR THE LITIGATION IN WHICH I HAD BEEN INVOLVED.

24 ONE ASPECT CALLED FOR ME TO ASSIST IN THE
25 RETRIEVAL FROM THE U.S. GOVERNMENT OF DOCUMENTS WHICH
26 RELATED TO A CASE WHICH BECAME KNOWN AS U.S. V. ZOLIN,

1 Z-O-L-I-N.

2 Q. DID IT CALL FOR YOU TO TURN OVER ANY DOCUMENTS
3 THAT YOU HAD IN YOUR POSSESSION?

4 A. RIGHT.

5 Q. ARE ANY OF THOSE DOCUMENTS DOCUMENTS THAT YOU'VE
6 PRODUCED TO US?

7 A. ANY OF WHICH DOCUMENTS?

8 Q. THE DOCUMENTS THAT THIS AGREEMENT CALLED FOR YOU
9 TO TURN BACK TO THE CHURCH. ARE ANY OF THOSE REPRESENTED BY
10 THE DOCUMENTS HERE THAT YOU'VE GIVEN US?

11 A. NO, ALL DOCUMENTS WHICH WERE INCLUDED IN THE
12 SETTLEMENT WERE TURNED OVER TO THE ORGANIZATION BACK IN 1986
13 OR '87.

14 Q. AND THESE ARE NOT COPIES OF ANY OF THOSE
15 DOCUMENTS?

16 A. WELL, SOME OF THEM DUPLICATE SOME OF THAT SET
17 BECAUSE SINCE THE ORGANIZATION HAS RENEWED IT'S ATTACKS ON
18 ME, AND ESSENTIALLY DECLARED ME AGAIN, ALTHOUGH I DON'T
19 THINK IT EVER CEASED, FAIR GAME, I HAVE TAKEN IT UPON MYSELF
20 TO OBTAIN WHATEVER DOCUMENTARY EVIDENCE I COULD FROM
21 WHATEVER SOURCE IN ORDER TO DEFEND MYSELF AGAINST THOSE
22 ATTACKS.

23 Q. ARE THESE NOW THE ASPECTS OF THE SETTLEMENT
24 AGREEMENT THAT YOU BELIEVE THE TRO RELATES TO IN SOME WAY?

25 A. OH, MY GUESS IS THAT THE TRO DOES NOT RELATE TO
26 ZOLIN BECAUSE THAT HAS BEEN COMPLETED AND LITIGATED AND DOES

1 NOT RELATE TO THE NON-OPPOSITION TO THE ORGANIZATION'S
2 APPEAL BECAUSE I WAS SUCCESSFULLY ABLE TO OPPOSE, AND THE
3 COURT OF APPEAL IN ESSENCE STRUCK DOWN THAT REQUIREMENT OF
4 THE SETTLEMENT AGREEMENT AND ALLOWED ME TO OPPOSE THEIR
5 APPEAL. AND OTHER THAN THAT, I'M NOT SURE.

6 Q. SO IT MAY RELATE TO YOUR NOT TALKING ABOUT ISSUES
7 RELATING TO YOUR EXPERIENCE WITH THE CHURCH?

8 A. IT MAY.

9 Q. OR DOCUMENTS RELATING TO THE CHURCH?

10 A. OH, I DON'T KNOW ABOUT DOCUMENTS, BECAUSE, AS I
11 SAY, THEY GOT ALL THE DOCUMENTS THEY WERE SUPPOSED TO GET.

12 Q. AND YOU DON'T THINK IT RELATES IN ANY WAY TO YOUR
13 USING COPIES OF THE DOCUMENTS YOU WERE SUPPOSED TO TURN OVER
14 TO THE CHURCH?

15 A. I DON'T SEE HOW IT CAN. I MEAN WHAT I'VE DONE
16 SINCE THEY'VE INITIATED THEIR ATTACKS CERTAINLY CAN'T BE
17 CONSIDERED IN WHAT WAS INCLUDED BACK IN 1986 WHEN THE
18 CONTRACT WAS ENTERED INTO.

19 Q. SO IT MAY RELATE TO YOUR DISCUSSING THE CHURCH IN
20 SOME WAY; RIGHT? IS THAT CORRECT?

21 A. IT MAY. IF INDEED ONE WAS ISSUED, IT MAY RELATE
22 TO THAT.

23 Q. DO YOU KNOW WHEN IT WAS SUPPOSED TO HAVE BEEN
24 ISSUED?

25 A. NO.

26 Q. WAS IT IN THE LAST MONTH?

1 A. YEAH.

2 Q. IN THE LAST WEEK?

3 A. I DON'T KNOW IF IT'S A WEEK OR -- SOMETHING, A
4 WEEK AGO MAYBE.

5 Q. WAS THERE A HEARING?

6 A. I DON'T KNOW. I GOT THE LETTER -- I THINK HER
7 LETTER WAS DATED, MY RECOLLECTION, DATED THE 4TH OR 5TH.

8 Q. OF WHAT? MARCH?

9 A. RIGHT.

10 Q. WHEN WAS THE HEARING ON THE TRO? THERE'S
11 NORMALLY, AS YOU KNOW, A HEARING.

12 A. YEAH, SOMETIME -- I DON'T KNOW, TEN DAYS AGO
13 MAYBE.

14 Q. WERE YOU PRESENT?

15 A. NO.

16 Q. AND SO WHAT YOU'RE SAYING, AS YOU SIT HERE, IS
17 THAT NO ONE HAS TOLD YOU AT ALL THAT A TRO WAS ACTUALLY
18 ISSUED AND WHAT IT SAYS, CORRECT, OTHER THAN THE LETTER,
19 WHAT YOU READ IN THE LETTER?

20 A. RIGHT.

21 Q. NOW, I WAS GOING BACK.

22 YOU SAID THAT THERE WERE FALSE CRIMINAL CHARGES
23 AND FALSE CIVIL PROCEEDINGS AND YOU WERE SPIED ON.

24 IS THERE ANYTHING ELSE THAT YOU THINK THE CHURCH
25 DID THAT WAS ILLEGAL TO YOU? THOSE TWO THINGS WE NOW HAVE.

26 A. IT STOLE A SET OF PHOTOS WHICH HAD BEEN ENTRUSTED

1 TO ME.

2 Q. WHO STOLE PHOTOS?

3 A. THE ORGANIZATION.

4 Q. WHO PARTICULARLY?

5 A. ORGANIZATION OPERATIVES.

6 Q. DO YOU KNOW WHO THEY ARE?

7 A. LYMAN SPURLOCK, TERRY GAMBOYA AT LEAST HAD
8 KNOWLEDGE OF IT.

9 Q. HOW DO YOU KNOW THAT?

10 A. THE PERSON TO WHOM I HAD ENTRUSTED THEM ADVISED
11 ME IT WAS LYMAN SPURLOCK, AND TERRY GAMBOYA TESTIFIED IN MY
12 TRIAL IN THE SPRING OF 1984 AS TO THESE FACTS.

13 Q. SO THIS GOES BACK TO -- WHEN DID THEY STEAL THIS?

14 A. 1982.

15 Q. OKAY. ANYTHING ELSE THAT THEY'VE DONE TO YOU
16 THAT'S ILLEGAL?

17 A. YEAH, THERE WAS A MANUSCRIPT WHICH WAS STOLEN OUT
18 OF THE TRUNK OF MY CAR IN 19 --

19 Q. DO YOU KNOW WHO DID THAT?

20 A. I'M NOT CERTAIN, BUT I'VE BEEN ADVISED THAT IT
21 ENDED UP WITH DAVID MISCAVIGE, AND THIS WAS AT THAT TIME THE
22 HEAD OF AUTHOR SERVICES INCORPORATED, WHICH WAS OSTENSIBLY
23 THE FOR PROFIT CORPORATION THROUGH WHICH HUBBARD RAN
24 SCIENTOLOGY 1982 THROUGH '86. AND MISCAVIGE WAS THEN KNOWN
25 AS THE CHAIRMAN OF THE BOARD OF AUTHOR SERVICES
26 INCORPORATED.

1 Q. WHAT DATE WAS THIS MANUSCRIPT STOLEN?

2 A. IN THE FALL OF 1984.

3 Q. WHO TOLD YOU IT ENDED UP IN MISCAVIGE'S HANDS?

4 A. VICKI AZNERAN.

5 Q. ANYTHING ELSE THAT YOU BELIEVE THE CHURCH HAS
6 DONE TO YOU OF AN ILLEGAL NATURE?

7 A. ORGANIZATION P.I.'S IN THE U.K. FILED TWO FALSE
8 DECLARATIONS, ACCUSING ME OF PASSING DOCUMENTS TO A BEARDED
9 ARAB IN THE OLD COCK TAVERN IN JUNE OF 1984.

10 Q. ANYTHING ELSE?

11 A. ORGANIZATION LAWYERS HAVE FILED FALSE
12 DECLARATIONS CONCERNING MY MOVEMENTS, CONCERNING MY ACTIONS.
13 AND THEY FILED THOSE IN THE AZNERAN CASE AND IN THE
14 ARMSTRONG -- BOTH ARMSTRONG CASES.

15 Q. ANYTHING ELSE?

16 A. THAT'S WHAT COMES TO MIND RIGHT NOW.

17 Q. OKAY. NOW THE CHURCH -- ARE YOU THE ONLY ONE THE
18 CHURCH HAS EVER TAKEN ILLEGAL ACTION AGAINST?

19 A. NO.

20 Q. CAN YOU DESCRIBE FOR ME ACTIONS THAT YOU BELIEVE
21 THE CHURCH HAS TAKEN THAT ARE ILLEGAL THAT DON'T RELATE TO
22 YOU?

23 A. THE ORGANIZATION CARRIED OUT OPERATIONS AGAINST A
24 WRITER BY THE NAME OF PAULETTE COOPER, WHERE THEY HAD AN
25 ORGANIZATION OPERATIVE SLEEPING WITH HER. THEY ATTEMPTED TO
26 GET HER JAILED BY GETTING HER FINGERPRINT ON A PIECE OF

1 STATIONERY AND THEN CONCOCTING BOMB THREATS.

2 Q. DO YOU KNOW WHO IN THE ORGANIZATION DID THESE
3 THINGS?

4 A. I KNEW THE NAME OF THE GUY WHO -- WHO WAS
5 PRETENDING TO BE HER BOYFRIEND, AND IT MAY COME BACK TO ME.
6 RECOLLECTION IS IT'S A LATIN NAME, BUT IT JUST DOESN'T COME
7 THROUGH RIGHT NOW. AND I HAVE SEEN THE OPERATION --
8 OPERATION FREAKOUT, IN FACT, IS WHAT THEY CALLED IT.

9 Q. OTHER THAN --

10 A. OH, THEN THERE WAS MAYOR CAZARES, CLEARWATER,
11 FLORIDA, THAT THEY ATTEMPTED TO INVOLVE IN A STAGED, PHONY
12 HIT AND RUN.

13 Q. CAN YOU DESCRIBE FOR ME ANYTHING THEY'VE DONE
14 ILLEGAL IN THE LAST YEAR, LET'S SAY . . .

15 A. I CONSIDER --

16 Q. . . . THAT DOESN'T RELATE TO YOU?

17 A. THAT DOESN'T?

18 Q. THAT DOES NOT RELATE TO YOU. LET ME JUST MAKE IT
19 THE LAST FIVE YEARS.

20 WELL, LET ME SAY FROM JANUARY 1988 TO THE
21 PRESENT, CAN YOU TELL ME ANYTHING YOU BELIEVE THE CHURCH OF
22 SCIENTOLOGY HAS DONE THAT'S ILLEGAL THAT DOES NOT RELATE TO
23 YOU PERSONALLY, SOMETHING ILLEGALLY DONE TO YOU PERSONALLY?

24 A. NOTHING COMES TO MIND AS ILLEGAL PER SE.

25 Q. WHEN YOU SAY "ILLEGAL PER SE," WHAT DO YOU MEAN?

26 A. WELL, ON A BROAD BASIS, I CONSIDER THAT THEIR

1 ABUSIVE PROCESS AND THEIR ABUSE OF THE LEGAL SYSTEM

2 GENERALLY COMES DOWN TO AN ILLEGALITY.

3 ALSO, ON A BROAD BASIS, THEIR CIVIL RIGHTS
4 VIOLATIONS, ON A BROAD BASIS, WHICH DENY PEOPLE DUE PROCESS,
5 FREEDOM OF RELIGION, FREEDOM OF SPEECH, FREEDOM OF ASSEMBLY.

6 Q. LET'S TALK ABOUT JANUARY '88 TO THE PRESENT. HOW
7 MANY CIVIL RIGHTS VIOLATIONS HAVE THEY ENGAGED IN TO YOUR
8 PERSONAL KNOWLEDGE? I'M TALKING ABOUT YOUR PERSONAL
9 KNOWLEDGE.

10 A. THE FILINGS WHICH THEY HAVE DONE IN THE CASE
11 WHICH I HAVE MENTIONED, IN MY CASE.

12 Q. I'M SAYING OUTSIDE OF ANYTHING DONE TO YOU
13 PERSONALLY, WHAT DO YOU KNOW PERSONALLY, FROM PERSONAL
14 KNOWLEDGE, FROM JANUARY '88 TO THE PRESENT REGARDING THE
15 CHURCH'S CIVIL RIGHTS VIOLATIONS THAT YOU ALLEGE?

16 A. THEY'VE CONTINUED TO PUBLISH SUPPRESSIVE PERSON
17 DECLARES. SO THEY HAVE SUBJECTED OTHER PEOPLE TO THEIR
18 CAMPAIGN OF OPPORTUNISTIC HATRED WHICH IS FAIR GAME.

19 Q. WHAT SUPPRESSIVE PERSON DECLARES HAVE THEY
20 CONTINUED TO PUBLISH SINCE JANUARY '88?

21 A. THERE WAS A SET OF THEM WHICH I SAW, WHICH
22 RELATED TO THE PEOPLE THAT THEY ALLEGE WERE CONNECTED WITH
23 THE CULT AWARENESS NETWORK.

24 Q. DO YOU HAVE THAT?

25 A. NO, I DON'T HAVE THE DOCUMENTS.

26 Q. WHERE ARE THE DOCUMENTS YOU SAW?

1 A. THAT -- THAT SET I SAW, THE ONES THAT I SAW AT
2 THAT TIME WERE IN A LAWYER'S OFFICE.

3 Q. ARE THEY AVAILABLE TO YOU?

4 A. I -- IF YOU WISH FOR ME TO OBTAIN THEM, I MAY
5 STILL BE ABLE TO. I WOULD MAKE THAT ATTEMPT. BUT I
6 CONSIDER THAT THESE DOCUMENTS (INDICATING), WHICH ARE
7 PUBLISHED, CIRCULATED IN A NON-RELIGIOUS CONTEXT, ARE
8 VIOLATIVE OF CIVIL RIGHTS.

9 Q. WHAT ARE YOU TALKING ABOUT WHEN YOU SAY "THESE
10 DOCUMENTS"?

11 A. SUPPRESSIVE PERSON DOCUMENTS.

12 Q. YOU'RE POINTING TO THESE ORANGE BINDERS, OR WHAT?

13 A. NO. NO, THESE ARE TWO THAT THEY BROUGHT OUT ON
14 ME. THIS IS WHERE ONE GETS THE IDEA THAT ONE IS FAIR GAME.

15 Q. OKAY, WE'LL MAKE THIS --

16 A. THERE ARE TWO THERE.

17 Q. YEAH. WHAT I WANT TO DO IS MAKE THIS STACK OF
18 DOCUMENTS, THE TECHNICAL BULLETINS OF DIANETICS AND
19 SCIENTOLOGY, EXHIBIT 8 AS A CLUMP. THAT'S VOLUME ONE, TWO,
20 FOUR -- WHERE IS THREE?

21 A. OH, I DIDN'T COPY NECESSARILY EVERYTHING FROM
22 EACH VOLUME, NOR ANYTHING FROM ALL OF THE VOLUMES.

23 Q. JUST THE THINGS YOU'VE RELIED UPON?

24 A. JUST THE THINGS THAT I, DURING THE COURSE OF MY
25 INVESTIGATION IN THIS MATTER, THE DOCUMENTS WHICH I
26 SELECTED.

1 Q. OKAY, SO WE ALSO HAVE VOLUME SIX, SEVEN, EIGHT,
2 NINE AND TEN, AND SELECTED PAGES OF THOSE; CORRECT, MR.
3 ARMSTRONG?

4 A. RIGHT.

5 MS. REMMERS: SO THAT WILL BE EXHIBIT 8.

6 [DOCUMENTS ENTITLED "TECHNICAL BULLETINS
7 OF DIANETICS AND SCIENTOLOGY" WERE
8 MARKED AS DEFENDANT'S EXHIBIT NO. 8 FOR
IDENTIFICATION.]

9 MS. REMMERS: THEN EXHIBIT 9 IS A MEMORANDUM OF
10 INTENDED DECISION, TOGETHER WITH ONE PAGE THAT IS A DOCUMENT
11 FROM THE SECOND APPELLATE DISTRICT, SAYING "PETITION FOR
12 REVIEW DENIED." THAT WILL BE EXHIBIT 9.

13 ["MEMORANDUM OF INTENDED DECISION" WAS
14 MARKED AS DEFENDANT'S EXHIBIT NO. 9 FOR
IDENTIFICATION.]

15 MS. REMMERS: THEN EXHIBIT 10 WILL BE TWO
16 DOCUMENTS, BOTH DATED 18 FEBRUARY 1982, AND IT SAYS "SEA
17 ORGANIZATION, FLAG CONDITIONS ORDER 6664 AND 6664R." 6664R
18 IS A 2-PAGE DOCUMENT. BOTH PAGES SAY "SUPPRESSIVE PERSON
19 DECLARE GERRY ARMSTRONG." THAT WILL BE 10.

20 [DOCUMENTS ENTITLED "SUPPRESSIVE PERSON
21 DECLARE GERRY ARMSTRONG" WERE AS MARKED
22 AS DEFENDANT'S EXHIBIT NO. 10 FOR
IDENTIFICATION.]

23 BY MS. REMMERS: Q. LET'S SEE WHAT ELSE YOU HAVE
24 THERE AND GET THEM IDENTIFIED SO WE CAN TALK MORE EASILY
25 ABOUT THEM.

26 A. OKAY. OKAY, THIS IS A DOCUMENT ENTITLED

1 JOHANNESBURG SECURITY CHECK.

2 Q. WHY DON'T YOU TELL ME WHAT THIS IS, HOW IT
3 RELATES TO THIS CASE?

4 A. IT INDICATES WHAT HAPPENS AS ONE ADVANCES IN
5 SCIENTOLOGY, THE TYPE OF PROCESSES THAT ONE IS SUBJECTED TO.
6 AND THAT WAS THE PLAN -- THAT WAS THE FINAL PRODUCT OF WHAT
7 THE PLAINTIFFS IN THIS CASE WERE BEING BROUGHT INTO.

8 AS THEY WOULD HAVE PROGRESSED IN SCIENTOLOGY,
9 SHOULD THEY HAVE BITTEN AND CONTINUED ON, THEY WILL FIND
10 THAT THE -- WHAT INITIALLY IS A RATHER LIGHT TOUCH BECOMES,
11 AS ONE ADVANCES, A RATHER HEAVY, ACCUSATORY, DAMNING,
12 CONDEMNATORY TOUCH. AND THAT'S JUST INDICATIVE OF IT. I
13 MYSELF HAVE UNDERGONE THE JOHANNESBURG SECURITY CHECK A
14 NUMBER OF TIMES.

15 Q. DO YOU KNOW WHETHER THEY CONTINUE TO USE THE
16 JOHANNESBURG SECURITY CHECK IN THE CHURCH OF SCIENTOLOGY
17 TODAY?

18 A. I DO NOT KNOW.

19 Q. AND DO YOU KNOW WHETHER THEY USED THIS SECURITY
20 CHECK AT ANY TIME SINCE YOU'VE LEFT THE ORGANIZATION?

21 A. I DO NOT KNOW.

22 MS. REMMERS: OKAY, WE'LL MARK THAT AS 11.

23 [DOCUMENT ENTITLED, "JOHANNESBURG
24 SECURITY CHECK" WAS MARKED AS
25 DEFENDANT'S EXHIBIT NO. 11 FOR
26 IDENTIFICATION.]

THE WITNESS: AND THIS IS THE USE OF E-METER AS

1 INTERROGATION. AND THIS IS THE E-METER POLICY CALLED
2 SECURITY CHECK IN WHICH HUBBARD STATES THAT THE E-METER IS
3 BETTER KNOWN AS A LIE DETECTOR.

4 BY MS. REMMERS: Q. OKAY, THIS INTERROGATION
5 DOCUMENT IS A 2-PAGE DOCUMENT.

6 AGAIN, THIS IS COPYRIGHTED 1960, CORRECT, THIS
7 INTERROGATION DOCUMENT?

8 A. RIGHT.

9 Q. AND EXHIBIT 11, THE JOHANNESBURG AGREEMENT IS
10 1961; CORRECT?

11 A. OKAY.

12 MS. REMMERS: SO WE'LL MARK THIS 12.

13 [DOCUMENT ENTITLED, "INTERROGATION" WAS
14 MARKED AS DEFENDANT'S EXHIBIT NO. 12 FOR
IDENTIFICATION.]

15 BY MS. REMMERS: Q. AND THEN WE HAVE THE
16 SECURITY CHECK, WHICH IS A 1-PAGE DOCUMENT. IT SAYS
17 "EXHIBIT 6" UP HERE.

18 WAS THAT TO SOME OTHER PIECE OF LITIGATION?

19 A. IT MAY HAVE BEEN.

20 Q. AND THAT IS WHAT? WHAT IS THIS? THIS IS ABOUT
21 THE E-METER?

22 A. RIGHT.

23 MS. REMMERS: SO THIS IS EXHIBIT 13.

24 [DOCUMENT ENTITLED; "SECURITY CHECK" WAS
25 MARKED AS DEFENDANT'S EXHIBIT NO. 13 FOR
IDENTIFICATION.]

26 BY MS. REMMERS: Q. WHAT ELSE HAVE YOU GOT

1 THERE?

2 A. THIS IS A DOCUMENT WHICH WENT INTO EVIDENCE IN
3 THE ARMSTRONG CASE THROUGH MARY SUE HUBBARD, AND IT'S
4 ENTITLED GUARDIAN'S ORDER NO. 121669 MSH, STANDING FOR MARY
5 SUE HUBBARD. AND IT IS MENTIONED IN THE BRECKENRIDGE
6 DECISION, WHICH IS THAT MEMORANDUM OF INTENDED DECISION FROM
7 JUNE 1984.

8 AND IN THIS DOCUMENT, SHE ORDERS THE INTELLIGENCE
9 BUREAU TO USE PROCESSING FILES WHICH ARE PRE-CLEAR FOLDERS;
10 THAT IS, STATEMENTS MADE BY PEOPLE DURING THIS SUPPOSEDLY
11 CONFIDENTIAL AUDITING.

12 MS. REMMERS: DO YOU KNOW WHETHER WHAT'S LISTED
13 HERE -- WE'LL MAKE THIS EXHIBIT 14, A DECEMBER 16TH, 1969
14 DOCUMENT.

15 [DOCUMENT ENTITLED, "GUARDIAN ORDER" WAS
16 MARKED AS DEFENDANT'S EXHIBIT NO. 14 FOR
IDENTIFICATION.]

17 BY MS. REMMERS: Q. DO YOU KNOW WHETHER THIS IS
18 STILL ANY KIND OF ORDER OR POLICY OF THE CHURCH OF
19 SCIENTOLOGY?

20 A. THE LAST INFORMATION I HAVE IS AS OF 1986.

21 Q. AND YOU SAY AS OF 1986, IT WAS?

22 A. '86, CORRECT.

23 Q. BUT YOU DON'T KNOW ABOUT IT SINCE?

24 A. NO, I DON'T KNOW.

25 Q. CAN I SEE WHAT ELSE YOU HAVE? AND LET'S JUST TRY
26 TO GET THEM IDENTIFIED AND THEN WE CAN WORK WITH THEM.

1 A. OKAY, THESE ARE TWO POLICY LETTERS WHICH COME
2 FROM THE ORGANIZATION'S GREEN VOLUMES, AND THEY ARE CALLED
3 PR SERIES 7, PR SERIES 18. THAT'S PUBLIC RELATIONS. ONE
4 CALLED "BLACK PR" AND ONE CALLED "HOW TO HANDLE BLACK
5 PROPAGANDA, RUMORS AND WHISPERING CAMPAIGNS."

6 MS. REMMERS: WE'LL MAKE THAT EXHIBIT 15. THOSE
7 ARE TWO DOCUMENTS, BOTH OF THEM FROM -- WELL, ONE OF THEM
8 FROM MAY 11, 1971 AND ONE FROM NOVEMBER 21ST, 1972.

9 [DOCUMENT ENTITLED, "HOW TO HANDLE BLACK
10 PROPAGANDA" AND "BLACK PR" WAS MARKED AS
11 DEFENDANT'S EXHIBIT NO. 15 FOR
IDENTIFICATION.]

12 BY MS. REMMERS: Q. DO YOU KNOW WHETHER THESE
13 CONTINUE TO BE POLICY IN THE CHURCH OF SCIENTOLOGY?

14 A. AS FAR AS I KNOW.

15 Q. BUT YOU DON'T KNOW PERSONALLY; CORRECT?

16 A. CORRECT.

17 Q. WHAT ELSE DO YOU HAVE?

18 A. THIS IS A DOCUMENT FROM THE DEPUTY GUARDIAN
19 INTELLIGENCE WW, WHICH STANDS FOR WORLD WIDE, TO THE
20 GUARDIAN WORLD WIDE, AND IT LISTS SUCCESSFUL AND
21 UNSUCCESSFUL ACTIONS. I BELIEVE THIS IS A DOCUMENT WHICH IS
22 ALSO INCLUDED IN THIS INTELLIGENCE PACK.

23 MS. REMMERS: WE'LL MARK THIS 16. IT'S ALSO GOT
24 AN EXHIBIT NUMBER DOWN HERE, NO. 24, WHICH WE'LL TRY TO
25 IGNORE.

26 THE WITNESS: LET ME SEE THAT ONE.

[9 MARCH 1970 DOCUMENT HEADED "RE:
SUCCESSFUL AND UNSUCCESSFUL ACTIONS" WAS
MARKED AS DEFENDANT'S EXHIBIT NO. 16 FOR
IDENTIFICATION.]

BY MS. REMMERS: Q. DO YOU KNOW WHAT THAT WAS AN
EXHIBIT IN?

A. I'M NOT SURE.

Q. WHAT DO YOU THINK IT MIGHT HAVE BEEN?

A. I'M JUST NOT SURE.

Q. THIS IS A 4-PAGE DOCUMENT THAT'S UNINTELLIGIBLE
ON THE LAST PAGE.

A. THAT PART IS -- WHERE IT'S -- THAT'S NOT --

Q. THIS WOULD BE BLANK?

A. THIS IS BLANK. ONLY THESE WORDS -- THIS IS JUST
WHERE IT'S PHOTOCOPIED THROUGH.

Q. OKAY, AND THAT WAS DATED MARCH 9TH, 1970; RIGHT?

A. RIGHT.

Q. AND DO YOU KNOW WHETHER THEN THE INFORMATION
CONTAINED IN THIS DOCUMENT STILL IS USED BY THE CHURCH OF
SCIENTOLOGY?

A. I WOULD HAVE TO REVIEW THE INDIVIDUAL POINTS. I
BELIEVE THAT A PARALLEL CAN BE DRAWN BETWEEN WHAT THEY DO
NOW AND WHAT THEY DO THEN.

Q. BUT YOU'RE NOT SURE?

A. SCIENTOLOGY HAS CERTAINLY NOT TURNED OVER A NEW
LEAF. IT CERTAINLY HAS NOT DROPPED FAIR GAME OR SUPPRESSIVE
PERSONS AS A PHILOSOPHIC CONCEPT.

1 Q. BUT FROM YOUR PERSONAL EXPERIENCE, YOU COULDN'T
2 TESTIFY THAT THIS IS STILL IN OPERATION IN THE CHURCH OF
3 SCIENTOLOGY TODAY; CORRECT, EXHIBIT 16?

4 A. RIGHT. AND THE SAME IS TRUE WITH ALL OF THESE
5 THINGS. I CAN TESTIFY AS TO WHAT THE ORGANIZATION DOES
6 REGARDING ME. THAT I KNOW OF. BUT I'M GIVING YOU WHAT I
7 KNEW OF WHILE IN THE ORGANIZATION, AND I'M ALSO GIVING YOU
8 WHAT I LEARNED IN PART AFTER LEAVING THE ORGANIZATION AND
9 AFTER I BECAME A TARGET OF FAIR GAME.

10 Q. RIGHT.

11 A. ALL OF THE -- EVERYTHING YOU'VE SEEN SO FAR, I
12 READ AND STUDIED INSIDE THE ORGANIZATION. SO I BROUGHT IT
13 HERE IN PART FOR THAT REASON.

14 Q. I UNDERSTAND.

15 A. THIS IS ANOTHER ONE.

16 Q. WHAT IS THIS?

17 A. INTELLIGENCE AND SECURITY. OR WAIT.

18 Q. DOES THIS GO WITH THIS EXHIBIT?

19 A. THEY'RE NOT THE SAME DOCUMENT. THIS IS A POLICY
20 LETTER . . .

21 Q. OKAY, LET'S JUST MARK IT SEPARATELY THEN.

22 A. . . . DATED 20 FEBRUARY '72, INTELLIGENCE AND
23 SECURITY.

24 MS. REMMERS: OKAY, WE'LL MARK THAT EXHIBIT 17.

25 [DOCUMENT ENTITLED, "INTELLIGENCE AND
26 SECURITY" WAS MARKED AS DEFENDANT'S
EXHIBIT NO. 17 FOR IDENTIFICATION.]

1 BY MS. REMMERS: Q. AND THIS HAS ANOTHER NUMBER
2 DOWN AT THE BOTTOM, 18.

3 WAS THAT ALSO USED IN SOME OTHER LITIGATION?

4 A. LET ME SEE THE NUMBER.

5 Q. DOWN AT THE BOTTOM.

6 A. NOW, THAT SAYS "KEMBER, NO. 18." AND SO IT MAY
7 HAVE COME FROM THE JANE KEMBER CASE. THAT WAS THE ONE WE
8 HAD MENTIONED EARLIER. THEY WERE EXTRADITED FROM THE U.K.

9 Q. OKAY.

10 A. THIS IS A DOCUMENT ENTITLED "THE FLOW UP THE
11 BRIDGE, U.S. MISSION HOLDERS CONFERENCE, SAN FRANCISCO,
12 1982." DATE IS 7 NOVEMBER 1982. THIS IS ALMOST A YEAR
13 AFTER I LEFT.

14 THIS WENT INTO EVIDENCE IN A CASE THAT I
15 TESTIFIED IN IN LONDON. IT WAS A CUSTODY CASE. THE JUDGE,
16 JUDGE LATEY, IN THAT CASE CITED TO THIS DOCUMENT.

17 AND I SIMPLY BROUGHT IT ALONG TO SHOW THAT RATHER
18 THAN -- IT RELATES IN PART TO THE HUNZIKER CASE IN THAT IT
19 SHOWS THE CONTROL BY THE LITTLE GROUP AT THE TOP OF THE
20 ORGANIZATION, OF THE TECHNOLOGY, AND OF OUTSIDE GROUPS,
21 THROUGH THE TRADE MARKS AND THROUGH ENFORCEMENT ACTIONS.

22 IT ALSO SHOWS THAT CONTRARY TO THE ORGANIZATION'S
23 PR STANCE, THAT THE ORGANIZATION GOT RID OF THE GUARDIAN'S
24 OFFICE AND AT THE SAME TIME GOT RID OF THE CRIMINAL ELEMENT
25 IN SCIENTOLOGY, THEY MAKE THE CLAIM THAT THEY ARE A NEW,
26 MORE RUTHLESS BREED OF SEA ORG MEMBER.

1 Q. WHO MAKES THE CLAIM?

2 A. IT IS IN THAT TRANSCRIPT WHICH IS INCLUDED THERE.

3 Q. THAT THEY GOT RID OF THE OLD --

4 A. THE ORGANIZATION HAS CLAIMED THAT IT GOT RID OF
5 THE GUARDIAN'S OFFICE. AND THE GUARDIAN'S OFFICE WAS THE
6 SOURCE FOR THIS PACK HERE (INDICATING). IT IS GUARDIAN'S
7 OFFICE MATERIALS.

8 THE GUARDIAN'S OFFICE AT ONE TIME, UNDER MARY SUE
9 HUBBARD, UNDER L. RON HUBBARD, CONTROLLED, WITHIN
10 SCIENTOLOGY, PUBLIC RELATIONS, LEGAL, INTELLIGENCE, AND TO A
11 GREAT DEGREE FINANCE, ALL UNDER HUBBARD'S CONTROL.

12 THESE DIVISIONS OF SCIENTOLOGY HAVE BEEN SHIFTED
13 TO A NEW ORGANIZATION CALLED OSA . . .

14 Q. OKAY.

15 A. . . . OFFICE OF SPECIAL AFFAIRS. THEY CONTAIN
16 THE PERSONNEL WHICH DEAL WITH LEGAL, PR, AND INTELLIGENCE
17 MATTERS. IN ADDITION, THEY USE VARIOUS CORPORATE IDENTITIES
18 IN THAT REGARD.

19 MS. REMMERS: OKAY, WE'RE MARKING THAT AS EXHIBIT
20 18, AND IT'S MULTI-PAGED AND IT ENDS WITH SOME CHARTS.
21 APPEARS TO BE 40 SOME PAGES LONG.

22 [DOCUMENT ENTITLED, "EXECUTIVE
23 DIRECTIVE," DATED 7 NOVEMBER 1982, WAS
24 MARKED AS DEFENDANT'S EXHIBIT NO. 18 FOR
IDENTIFICATION.]

25 THE WITNESS: AND THIS IS ANOTHER DOCUMENT WHICH
26 I DID NOT SEE UNTIL AFTER LEAVING THE ORGANIZATION, BUT IT'S

1 ONE THAT I MENTIONED EARLIER . . .

2 BY MS. REMMERS: Q. WELL, YOU DIDN'T SEE NO. 18
3 EITHER UNTIL AFTER YOU LEFT?

4 A. SAME THING.

5 . . . 1 APRIL 1976. I KNEW ABOUT OPERATION
6 FREAKOUT. I KNEW ABOUT FREAKOUT INSIDE, AND PAULETTE
7 COOPER.

8 AND I -- AND I KNEW THAT INFORMATION CONTAINED
9 HEREIN WENT INTO A STIPULATION OF EVIDENCE, WHICH WAS FILED
10 IN THE CRIMINAL CASE INVOLVING MARY SUE HUBBARD AND THE
11 OTHER TEN GUARDIAN'S OFFICE PERSONNEL WHICH I MENTIONED
12 EARLIER. BUT THIS IS THE TYPE OF ACTIVITY WHICH WENT ON IN
13 SCIENTOLOGY AND WHICH I CONSIDER GOES ON ABOUT ME.

14 MS. REMMERS: THAT'S EXHIBIT 19, AND IT'S 1 APRIL
15 '76, AND IT'S SIX PAGES.

16 [DOCUMENT ENTITLED, "OPERATION FREAKOUT"
17 WAS MARKED AS DEFENDANT'S EXHIBIT NO. 19
FOR IDENTIFICATION.]

18 THE WITNESS: THIS IS A BOOK CALLED THE
19 "INTRODUCTION TO SCIENTOLOGY ETHICS," WHICH IS INCLUDED,
20 ACCORDING TO SCIENTOLOGY SPOKESMEN, WITHIN WHAT THEY CALL
21 THE SCRIPTURES OF SCIENTOLOGY.

22 AND I'VE INCLUDED IT BECAUSE IT SHOWS THE
23 EMPHASIS ON LABELING PEOPLE SUPPRESSIVE PERSONS, THE HATRED
24 DIRECTED TOWARD INDIVIDUALS DESIGNATED BY THE ORGANIZATION
25 AS SUPPRESSIVE PERSONS. AND IT ALSO SHOWS, AS DO OTHER
26 POLICIES, THAT SUPPRESSIVE ACTS ARE SIMPLY THOSE WHICH ARE

1 DEEMED TO IMPEDE SCIENTOLOGY OR SCIENTOLOGY OPERATIONS.

2 MS. REMMERS: AND THAT'S GOING TO BE 20,
3 "INTRODUCTION TO SCIENTOLOGY ETHICS."

4 BY MS. REMMERS: Q. IS THIS THE ENTIRE VOLUME?

5 A. RIGHT.

6 Q. OR -- OKAY, IT'S A 70 PAGE BOOK. OKAY.

7 [DOCUMENT ENTITLED, "INTRODUCTION TO
8 SCIENTOLOGY ETHICS" WAS MARKED AS
9 DEFENDANT'S EXHIBIT NO. 20 FOR
IDENTIFICATION.]

10 THE WITNESS: AND WITH -- THIS IS A FEW PAGES
11 FROM L. RON HUBBARD'S "DIANETICS, THE MODERN SCIENCE OF
12 MENTAL HEALTH," WHICH WAS ORIGINALLY PUBLISHED IN 1950. AND
13 THIS VERSION APPEARS TO BE 1973.

14 AND I BRING THAT ALONG SIMPLY TO SHOW THE
15 TRANSITION IN A PUBLIC RELATIONS MANNER FROM AN EARLIER
16 DOCUMENT WHICH IS INCLUDED IN HERE, I BELIEVE IN THE VOLUME
17 ONE OF THE TECHNICAL BULLETINS, WHEREIN A DISTINCTION IS
18 MADE BETWEEN DIANETICS AND RELIGION, AND HERE, BY WHICH
19 TIME, THE ORGANIZATION WAS MAKING CLAIMS LIKE THIS ABOUT
20 DIANETICS, THAT IT IS FOR RELIGIOUS USE ONLY.

21 MS. REMMERS: OKAY, WE'LL MAKE THAT 21.

22 [PORTION OF DOCUMENT ENTITLED,
23 "DIANETICS, THE MODERN SCIENCE OF MENTAL
24 HEALTH" WAS MARKED AS DEFENDANT'S
EXHIBIT NO. 21 FOR IDENTIFICATION.]

25 THE WITNESS: THIS IS A DOCUMENT ENTITLED PRO
26 NEWS, ISSUED IN APRIL 1970. IT'S VOLUME TWO, NO. 4.

1 AND I BROUGHT THIS BECAUSE IT CONTAINS A
2 BIOGRAPHICAL SKETCH OF L. RON HUBBARD, WHICH WAS WRITTEN BY
3 HIM, AND A DEFINITION OF THE ORGANIZATION, FRAUDULENT CLAIMS
4 ABOUT HIS DEGREES AND HISTORY. AND IT ALSO CONTAINS -- EVEN
5 BACK IN 1970, IT SHOWS ATTEMPTS TO BRING SCIENTOLOGY INTO
6 SECULAR ACTIVITIES.

7 BY MS. REMMERS: Q. OKAY. CAN I MARK THAT,
8 PLEASE?

9 A. BUT IT'S JUST A SAMPLE OF A BIOGRAPHICAL SKETCH
10 WHICH I HAD SEEN WHEN I FIRST GOT INVOLVED IN THE
11 ORGANIZATION.

12 MS. REMMERS: AND THAT'S BEEN ADMITTED INTO
13 EVIDENCE. IT SAYS: "TYPE OF HEARING: TRIAL. CASE NO.
14 C-420153."

15 [DOCUMENT ENTITLED "PRO NEWS," APRIL
16 1970, WAS MARKED AS DEFENDANT'S EXHIBIT
NO. 22 FOR IDENTIFICATION.]

17 BY MS. REMMERS: Q. WHAT'S THAT? 5/30/84?

18 A. OH, THAT WAS ORIGINALLY FILED IN THE ARMSTRONG
19 CASE.

20 Q. OKAY.

21 A. AND THIS, WHICH WAS NOT PREPARED BY ME AND I'M
22 NOT SURE IF IT WENT INTO EVIDENCE IN ARMSTRONG, IS A PRETTY
23 GOOD BASIS FOR THE MISREPRESENTATIONS WHICH HUBBARD MADE
24 ABOUT HIMSELF, WHICH I UNCOVERED AND DOCUMENTED, AND WHICH
25 FORMED THE BASIS IN PART FOR THE JUDGE'S DETERMINATION IN
26 THE ARMSTRONG DECISION: THAT HUBBARD WAS VIRTUALLY A

1 PATHOLOGICAL LIAR WHEN IT CAME TO HIS HISTORY AND
2 CREDENTIALS AND SO ON.

3 MS. REMMERS: THAT'S 23.

4 [DOCUMENT ENTITLED, "LIST OF
5 MISREPRESENTATIONS MADE PUBLICLY BY L.
6 RON HUBBARD" WAS MARKED AS DEFENDANT'S
EXHIBIT NO. 23 FOR IDENTIFICATION.]

7 BY MS. REMMERS: Q. IS THAT THE SUM TOTAL NOW
8 EXCEPT FOR THE ORANGE BINDERS WE'RE LOOKING AT?

9 A. RIGHT.

10 Q. CAN YOU HAND ME THE ORANGE BINDERS, PLEASE?

11 A. LET ME GET THE FIRST ONE WITH THE CHECKSHEET SO
12 YOU GET THEM IN THE RIGHT ORDER. OKAY, THESE ARE FOUR
13 BINDERS CONTAINING WHAT'S CALLED THE INFORMATION FULL HAT.
14 IT'S THE MANUAL WITH WHICH THE GUARDIAN'S OFFICE OF
15 SCIENTOLOGY TRAINED INTELLIGENCE PERSONNEL INSIDE THE
16 ORGANIZATION, AND IT HAS A CHECKSHEET IN FRONT OF IT.

17 Q. OKAY. IT ALSO HAS GOVERNMENT EXHIBIT 236 ON IT.
18 WHAT IS THAT?

19 A. I BELIEVE THAT THAT CAME FROM THE CRIMINAL CASE
20 INVOLVING MARY SUE HUBBARD AND KEMBER AND BUDLONG.

21 Q. AND THESE ARE FROM THE 1970'S?

22 A. RIGHT.

23 Q. '60'S?

24 A. RIGHT.

25 Q. WHAT IS THE LAST DATE OF ANY POLICY ISSUED IN
26 THESE BINDERS?

1 A. IT WOULD BE -- MY BEST GUESS IS '73, '74 PERIOD.

2 Q. DO YOU HAVE ANY IDEA WHETHER ANY OF THESE
3 POLICIES OR TRAINING METHODS ARE CONTINUING TO BE USED BY
4 THE GUARDIAN'S OFFICE IN THIS ORGANIZATION TODAY?

5 A. WELL, THE ORGANIZATION DENIES THE EXISTENCE OF A
6 GUARDIAN'S OFFICE, AND TO MY KNOWLEDGE THERE IS NO ENTITY
7 WITHIN THE SCIENTOLOGY ORGANIZATION WHICH USES THE NAME
8 GUARDIAN'S OFFICE.

9 Q. TO YOUR PERSONAL KNOWLEDGE, DOES THE CHURCH OF
10 SCIENTOLOGY IN ANY ORGANIZATION USE THE POLICIES THAT YOU
11 HAVE COLLECTED HERE IN THESE FOUR ORANGE BINDERS, TO YOUR
12 PERSONAL KNOWLEDGE?

13 A. I HAVE NO PERSONAL KNOWLEDGE OF THAT. I WILL
14 STATE THAT PURSUANT TO SCIENTOLOGY'S OWN POLICIES, THEY
15 CANNOT CANCEL L. RON HUBBARD'S POLICIES. SO THOSE DOCUMENTS
16 WHICH HAVE BEEN WRITTEN BY L. RON HUBBARD REMAIN POLICY AND
17 REMAIN IN EFFECT WITHIN THE ORGANIZATION.

18 Q. SO YOU'VE NEVER SEEN A POLICY WITHIN THE CHURCH
19 OF SCIENTOLOGY CANCELED?

20 A. THEY CAN'T -- IT SIMPLY CAN'T BE STATED THAT
21 SOMETHING IS OLD POLICY, WE DON'T USE IT ANY MORE.

22 Q. WHERE IS THERE A RULE THAT SAYS THAT NOTHING CAN
23 BE STATED IN THAT MANNER?

24 A. LET ME JUST SEE IF I CAN FIND IT HERE. DO YOU
25 HAVE THE BASIC STAFF VOLUME ZERO?

26 Q. IT'S WAY BACK UNDER HERE.

1 A. YOU KNOW, SCIENTOLOGY IS RUN BY DAVID MISCAVIGE,
2 AND HE CAN DO WHATEVER HE WANTS.

3 Q. SO HE COULD CANCEL ALL OF THESE POLICIES IF HE
4 WANTED TO; CORRECT?

5 A. YES, HE COULD EVEN CANCEL FAIR GAME.

6 Q. AND YOU HAVE NO KNOWLEDGE, PERSONAL KNOWLEDGE,
7 ONE WAY OR ANOTHER WHETHER HE HAS; CORRECT?

8 A. OH, I KNOW HE HASN'T BECAUSE I'M STILL THE
9 SUBJECT OF FAIR GAME.

10 Q. OTHER THAN YOUR BEING THE SUBJECT OF FAIR GAME,
11 YOU HAVE NO PERSONAL KNOWLEDGE OF WHAT POLICIES HAVE OR HAVE
12 NOT BEEN CANCELED SINCE YOU LEFT IN 1981; ISN'T THAT
13 CORRECT?

14 A. CORRECT.

15 Q. OKAY. DID YOU WANT TO POINT SOMETHING OUT.

16 A. YEAH, "A CONDITION OF TREASON OR CANCELLATION OF
17 CERTIFICATES OR DISMISSAL AND A FULL INVESTIGATION OF THE
18 BACKGROUND OF ANY PERSON FOUND GUILTY WILL BE ACTIVATED IN
19 THE CASE OF ANYONE COMMITTING THE FOLLOWING HIGH CRIMES:

20 "ABBREVIATING AN OFFICIAL COURSE IN DIANETICS AND
21 SCIENTOLOGY SO AS TO LOSE THE FULL THEORY PROCESSES AND
22 EFFECTIVENESS OF THE SUBJECTS.

23 "ADDING COMMENTS TO CHECKSHEETS OR INSTRUCTIONS
24 LABELING ANY MATERIAL 'BACKGROUND' OR 'NOT USED NOW' OR
25 'OLD' OR ANY SIMILAR ACTION WHICH WILL RESULT IN THE STUDENT
26 NOT KNOWING, USING AND APPLYING THE DATA IN WHICH HE IS

1 BEING TRAINED."

2 Q. THAT DOESN'T SAY THAT YOU COULDN'T CHANGE THE
3 TRAINING MATERIALS OR POLICIES, DOES IT?

4 A. THAT'S CORRECT.

5 Q. OKAY. CAN I HAVE -- WE'RE READING NOW FROM
6 EXHIBIT 5. AND WHAT PAGES, SO WE CAN IDENTIFY IT?

7 A. OKAY, HANG ON. OKAY, THAT'S THE ORDER.

8 Q. YEAH, I JUST HAD MEANT FOR YOU TO TELL ME WHAT
9 PAGES YOU WERE READING FROM SO WE COULD KEEP THE PAGES
10 STRAIGHT.

11 A. RIGHT, THE PAGES.

12 Q. WHAT PAGE NUMBERS?

13 A. OH, IT'S THE LAST -- NOW THE PAGES HERE DO NOT
14 MATCH UP -- ARE NOT SEQUENTIAL.

15 Q. I SEE THAT.

16 A. THE POLICIES ARE SEQUENTIAL, IN THE ORDER THAT I,
17 IN MY RESEARCH, WAS GOING THROUGH AND SELECTING THOSE
18 POLICIES.

19 Q. SO IF YOU'D JUST PULL OUT THE POLICY YOU WERE
20 JUST READING FROM, SO THE RECORD IS CLEAR?

21 A. OKAY.

22 Q. THANK YOU, THAT'S WHAT I HAD ASKED.

23 A. SO THAT POLICY IS ENTITLED "TECHNICAL DEGRADES,
24 KEEPING SCIENTOLOGY WORKING SERIES 5R," REISSUED -- OR FIRST
25 DATE HCO POLICY LETTER 17 JUNE 1970, REISSUED 30 AUGUST
26 1980, RE-REVISED 25 OCTOBER 1983.

1 Q. OKAY, LET ME PUT THAT BACK IN THE STACK.

2 ALL RIGHT, LET'S IDENTIFY THESE FOUR BINDERS
3 THEN. CONFIDENTIAL PACK ONE OF THREE HAS -- I'M TRYING TO
4 IDENTIFY IT. IT SAYS "INFORMATION FULL HAT, GOVERNMENT
5 EXHIBIT 236, CONFIDENTIAL PACK ONE OF THREE." THAT'S THE
6 FIRST. AND THAT IS, OH, A MULTI-PAGE DOCUMENT.

7 THEN THERE IS CONFIDENTIAL PACK TWO OF THREE. IT
8 STILL SAYS EXHIBIT 236.

9 AND YOU BELIEVE THAT WAS FROM WHAT LITIGATION; DO
10 YOU KNOW? IT SAYS GOVERNMENT EXHIBIT 236.

11 A. YEAH, IN THE U.S. V. HUBBARD CASE, THE CRIMINAL
12 CASE.

13 Q. OKAY, THEN THERE IS L. RON HUBBARD CONFERENCE,
14 COVERT OPERATIONS, 2 NOVEMBER 1969. AND THIS IS A
15 COLLECTION OF MATERIAL ALSO. IT'S HARD TO IDENTIFY. I
16 CAN'T TELL HOW MANY PAGES.

17 A. THAT IS PART OF THIS SET . . .

18 Q. I UNDERSTAND.

19 A. . . . OF MATERIALS. AND THEY CAN ALL BE PUT
20 TOGETHER ACCORDING TO THIS CHECKSHEET.

21 Q. WHICH IS IN THE PACK ONE OF THREE.

22 OKAY, THEN THE FINAL ONE IS PACK THREE OF THREE;
23 CORRECT?

24 A. RIGHT.

25 Q. ALL RIGHT. WE'LL HAVE TO HAVE THOSE COPIED AND
26 THEN RETURNED TO YOU, BUT I DON'T THINK WE'LL MAKE THEM AN

1 EXHIBIT.

2 NOW, SINCE WE MET HERE LAST IN YOUR LAST
3 DEPOSITION, HAVE YOU TALKED WITH ANYONE WHATSOEVER ABOUT
4 THIS CASE OR YOUR TESTIMONY IN THIS CASE? HAVE YOU TALKED
5 WITH MR. RUMMONDS, ANYONE FROM HIS OFFICE, MR. ELSTEAD,
6 ANYONE FROM HIS OFFICE, ANY OF THE PLAINTIFFS IN THIS CASE,
7 ANYONE ELSE AT ALL ABOUT ANYTHING RELATING TO YOUR TESTIMONY
8 HERE?

9 A. YEAH, I SPOKE TO NANCY MILLER.

10 Q. JUST LIST FOR ME WHO YOU'VE SPOKEN TO.

11 A. KATE SCHUCHMANN, STEVEN HUNZIKER, JOHN ELSTEAD,
12 VIRGINIA.

13 Q. SANDERS?

14 A. RIGHT.

15 Q. ANYONE ELSE THAT YOU HAVE TALKED TO ABOUT
16 ANYTHING RELATING TO THIS TESTIMONY WHATSOEVER?

17 A. I DON'T BELIEVE SO.

18 Q. HAVE YOU TALKED TO FORD GREENE?

19 A. I MEAN WITHOUT WAIVING ANY -- ANY PRIVILEGE AS TO
20 ANY OTHER MATTER, JUST THE FACT THAT I WAS COMING HERE
21 TODAY.

22 Q. WELL, I MEAN YOUR DISCUSSIONS WITH FORD GREENE
23 ABOUT THINGS RELATING TO THIS LAWSUIT ARE NOT PRIVILEGED.
24 HE'S NOT REPRESENTING YOU IN THIS LAWSUIT, IS HE?

25 A. WITHOUT WAIVING ANY PRIVILEGE, JUST THE FACT THAT
26 I CAME, THAT I WAS COMING HERE TODAY.

1 Q. YOU TOLD HIM THAT?

2 A. RIGHT.

3 Q. WHEN DID YOU TELL HIM THAT?

4 A. TWO DAYS AGO.

5 Q. WHICH WOULD HAVE BEEN THE 10TH?

6 A. YEAH.

7 Q. IT'S THE 12TH TODAY.

8 A. OKAY.

9 Q. NOW, HOW LONG DID YOU TALK TO NANCY MILLER? JUST
10 ONE CONVERSATION?

11 A. YES.

12 Q. HOW LONG WAS THAT?

13 A. TWO MINUTES.

14 Q. AND WHAT DID YOU DISCUSS?

15 A. SHE WANTED A PARTICULAR DOCUMENT WHICH WAS
16 INCLUDED IN THE DOCUMENTS THAT HER OFFICE HAD GIVEN ME.

17 Q. AND WHAT WAS THAT?

18 A. IT WAS ONE FROM INGRID GUDENAS TO ROBIN ANDERSON.

19 Q. THAT'S NOT SOMETHING YOU'VE PRODUCED HERE?

20 A. IT WAS IN THAT STACK THAT I HAD, THAT I BROUGHT
21 IN THE OTHER DAY.

22 Q. WHAT WAS THAT?

23 A. THE STACK?

24 Q. WHAT WAS IT YOU'RE TALKING ABOUT, FROM INGRID
25 GUDENAS TO ROBIN ANDERSON? ARE YOU TALKING ABOUT AN INVOICE
26 OR SOMETHING?

1 A. NO, IT WAS A LETTER. HAD A HAPPY FACE ON IT.
2 THE ONE WITH THE HAPPY FACE ON IT.

3 Q. SAYING WHAT?

4 A. OH, IT HAD TO DO WITH SCHEDULING. IT HAD TO DO
5 WITH RESTAURANTS BEING NEARBY. IN ANY CASE, NANCY WANTED
6 IT. SHE COULD NOT LOCATE THE DOCUMENT. I FAXED IT TO HER.
7 THAT'S ALL THAT WAS ABOUT.

8 Q. HOW LONG DID YOU TALK TO KATE SCHUCHMANN?

9 A. MAYBE A COUPLE OF MINUTES.

10 Q. JUST ONE CONVERSATION?

11 A. RIGHT. THERE WAS A FIRST CONVERSATION -- WELL, I
12 GUESS WE'VE SPOKEN A TOTAL OF MAYBE FOUR TIMES NOW, BRIEFLY,
13 EACH TIME BY PHONE. AND ALL OF THEM CONCERNED ATTEMPTS TO
14 GET TOGETHER, TO COORDINATE MY DRIVING DOWN TO HER AREA TO
15 TALK TO HER ABOUT THIS CASE. AND WE HAVE NOT YET BEEN ABLE
16 TO COORDINATE AND GET TOGETHER.

17 Q. SO YOU HAVEN'T TALKED WITH HER SUBSTANTIVELY AT
18 ALL?

19 A. RIGHT.

20 Q. AND STEVEN HUNZIKER, HOW LONG HAVE YOU TALKED TO
21 HIM SINCE THE LAST DEPOSITION?

22 A. THAT WAS JUST A VERY BRIEF ONE, TO GET THE FAX
23 NUMBER OF THE RUMMONDS FIRM.

24 Q. YOU DIDN'T CALL THE RUMMONDS FIRM TO ASK FOR THE
25 FAX NUMBER; YOU CALLED STEVEN HUNZIKER?

26 A. YOU KNOW, I'M NOT SURE WHY I ENDED UP CALLING

1 STEVEN, IF IT WAS LATE AT NIGHT OR SOMETHING LIKE THAT. I
2 THINK IT MAY HAVE BEEN THAT IT WAS AT NIGHT WHEN I WANTED IT
3 AND I -- BUT THAT WAS THE ONLY REASON THAT I CALLED HIM.

4 Q. AND DID YOU TALK AT ALL ABOUT ANYTHING RELATING
5 TO YOUR TESTIMONY?

6 A. NO, NOTHING SUBSTANTIVE, ANYWAY.

7 Q. HOW LONG WAS YOUR CONVERSATION?

8 A. WITH STEVEN?

9 Q. YES.

10 A. OH, VERY BRIEF. A MINUTE MAYBE.

11 Q. DO YOU REMEMBER ANYTHING HE SAID TO YOU?

12 A. NO. HE HAD THE NUMBER. HE GAVE ME THE NUMBER,
13 AND I DON'T THINK THAT WE DISCUSSED ANYTHING BEYOND THAT.

14 Q. NOW, WHAT -- SO YOU'VE HAD ONLY ONE CONVERSATION
15 WITH HIM SINCE THE LAST DEPOSITION?

16 A. RIGHT.

17 Q. AND MR. ELSTEAD, HOW MANY TIMES HAVE YOU TALKED
18 TO HIM SINCE THE LAST DEPOSITION?

19 A. I THINK THREE, THREE TIMES. ONCE BY PHONE. IT
20 COULD BE FOUR TIMES. HE CALLED ME, URGING ME TO GET THE
21 MATERIALS READY, PRAYING THAT I COULD DO IT BEFORE THE 18TH,
22 BECAUSE HE THOUGHT HE WOULD RUN INTO DIFFICULTIES IF IT WENT
23 UNTIL THE 18TH.

24 AND THEN ME CALLING HIM TO MAKE ARRANGEMENTS TO
25 DELIVER TO HIM THE DOCUMENTS WHICH WE HAVE HERE TODAY.

26 AND THEN I MET HIM BRIEFLY AS I WALKED IN TODAY,

1 PICKED UP THE DOCUMENTS FROM HIM IN HIS OFFICE.

2 Q. OKAY, NOW WHEN DID HE CALL YOU, URGING YOU TO GET
3 READY BEFORE THE 18TH? BECAUSE WE HAD ORIGINALLY SCHEDULED
4 THIS DEPOSITION ON THE 18TH; CORRECT?

5 A. RIGHT, BUT THERE WAS, AS YOU MENTIONED EARLIER,
6 THERE WAS THIS TALK OF A NEED TO GET IT DONE.

7 Q. EARLIER?

8 A. EARLIER.

9 Q. RIGHT. SO WHEN DID HE CALL YOU AND ASK YOU TO
10 GET IT DONE BY THE 12TH INSTEAD OF THE 18TH?

11 A. MAYBE LAST FRIDAY.

12 Q. OKAY.

13 A. PERHAPS.

14 Q. AND THEN YOU --

15 A. AND THEN WE CONNECTED AGAIN ON SUNDAY. SUNDAY
16 WAS WHEN I DELIVERED THE DOCUMENTS TO HIM.

17 Q. AND WHERE WAS THAT?

18 A. IN OAKLAND.

19 Q. WHERE IN OAKLAND?

20 A. MONTCLAIR AREA GENERALLY.

21 Q. WHAT DO YOU MEAN THE "MONTCLAIR AREA GENERALLY"?
22 WAS IT AT SOMEONE'S HOUSE?

23 A. NO, IT WAS JUST WE -- I CALLED HIM UP AND WE
24 AGREED TO MEET AT A PARTICULAR PLACE.

25 Q. WHERE WAS THAT?

26 A. WELL, IT HAPPENED TO BE IN A PARKING LOT, THE

1 PLACE.

2 Q. SO YOU DELIVERED ALL OF THESE DOCUMENTS THAT YOU
3 HAVE HERE?

4 A. EVERYTHING THAT I'VE GIVEN YOU TODAY.

5 Q. SO SINCE SUNDAY, YOU HAVEN'T LOOKED AT ANY OF
6 THIS?

7 A. RIGHT.

8 Q. SO YOU DID YOUR WORK ON THESE DOCUMENTS BETWEEN
9 FRIDAY AND SUNDAY, OVER THE LAST WEEKEND?

10 A. CORRECT.

11 Q. AND DID YOU HAVE TO TRAVEL SOMEWHERE TO GET THESE
12 DOCUMENTS? YOU HAD SAID BEFORE YOU HAD TO TAKE A TRIP TO
13 GET THE DOCUMENTS?

14 A. NO, I TOLD YOU THAT I HAVE TO TAKE A TRIP, AND I
15 HAVE TO DO THAT THIS WEEKEND, BUT THAT DOESN'T FALL BEFORE
16 THE 12TH. SO I AM LIMITED TO THIS SET OF DOCUMENTS, WHICH I
17 HAD IN THE GENERAL GEOGRAPHIC AREA WHERE I LIVE, IN MARIN.

18 Q. NOW, WHAT DID YOU TALK TO MR. ELSTEAD ABOUT WHEN
19 YOU MET HIM IN OAKLAND?

20 A. I DESCRIBED -- I ROUGHLY DESCRIBED THE DOCUMENTS.
21 I SHOWED HIM THE VARIOUS GROUPINGS OF THE DOCUMENTS. AND
22 BEYOND THAT WE JUST PARTED. I TOOK THE BOX OF DOCUMENTS
23 FROM THE TRUNK OF MY CAR, CARRIED THEM TO HIS CAR. WE SPENT
24 A COUPLE MINUTES.

25 Q. OKAY, AND THAT'S THE SUM TOTAL OF THE TIMES
26 YOU'VE TALKED TO MR. ELSTEAD?

1 A. EVERYTHING I'VE LISTED THERE.

2 Q. AND WHAT ABOUT VIRGINIA SANDERS, HOW LONG DID YOU
3 TALK TO HER?

4 A. SHE CALLED ONE DAY AND IT WAS VERY -- OH, SHE
5 CALLED REALLY, I GUESS, ABOUT THE DEPOSITION, "HOW DID THE
6 DEPOSITION GO?" SO IT WAS AFTER THE DEPOSITION, WITHIN A
7 DAY OR TWO OF IT.

8 Q. AND WHAT DID YOU TELL HER?

9 A. I TOLD HER THAT I THOUGHT IT WENT OKAY.

10 Q. WHAT ELSE DID YOU TELL HER?

11 A. THAT I PRETTY WELL SAW WHAT PIECE OF THE PUZZLE I
12 PROVIDED, I REPRESENTED.

13 Q. WHAT DID YOU TELL HER THE PIECE OF THE PUZZLE
14 WAS?

15 A. OH, MUCH OF WHAT -- AS I'VE BEEN SAYING ALL
16 ALONG, I HAVE AN UNDERSTANDING OF SCIENTOLOGY. I CERTAINLY
17 TIE SCIENTOLOGY INTO W.I.S.E., APPLIED MATERIALS, APPLIED
18 SCHOLASTICS. AND I REPRESENT WHAT WHAT HAPPENS TO A FAIRLY
19 ORDINARY PERSON WHO IS DEEMED A THREAT TO THE ORGANIZATION.

20 Q. IS IT YOUR OPINION THAT THE CHURCH WOULD VIEW YOU
21 AS THE SAME THREAT TO THE ORGANIZATION AS THEY WOULD VIEW
22 SOMEONE LIKE STEVEN HUNZIKER?

23 A. IT IS MY VIEW THAT THEY HAVE A HIERARCHY OF
24 ENEMIES, BUT THE BASIC WAY OF DEALING WITH PERCEIVED ENEMIES
25 IS THE SAME.

26 Q. THAT WASN'T MY QUESTION.

1 A. I --

2 Q. DO YOU THINK THAT YOU WOULD BE OF THE SAME
3 HIERARCHY AS SOMEONE LIKE STEVEN HUNZIKER OR VIRGINIA
4 SANDERS OR KATE SCHUCHMANN?

5 A. AGAIN, NOT THAT THEIR -- NOT THAT THE
6 ORGANIZATION WOULD DEVOTE ALL THE RESOURCES AND WOULD
7 DEVOTE, IF HATRED COULD BE QUANTIFIED, THE TOTAL AMOUNT OF
8 HATRED THAT THEY HAVE FOR ME. BUT THAT THE SAME POLICY AND
9 THE SAME WAY OF VIEWING PERCEIVED ENEMIES WOULD BE UTILIZED
10 BY THE ORGANIZATION.

11 Q. DO YOU HAVE ANY KNOWLEDGE, PERSONAL KNOWLEDGE
12 WHATSOEVER THAT THE CHURCH OF SCIENTOLOGY IN ANY WAY, SHAPE
13 OR FORM VIEWS ANY OF THE THREE PLAINTIFFS IN THIS ACTION IN
14 ANY NEGATIVE WAY?

15 A. ONLY WITH REGARDS TO THE POLICIES REGARDING
16 CRITICS OF SCIENTOLOGY, THAT THAT'S POLICY.

17 Q. AS OF THE TIME YOU LEFT?

18 A. OH, THAT THAT'S A POLICY MATTER. BUT I HAVE
19 NEVER SPOKEN TO ANYONE REGARDING -- INSIDE THE ORGANIZATION,
20 REGARDING THE HUNZIKER CASE.

21 Q. SO YOU HAVE NO IDEA -- THE POLICIES YOU'RE
22 TALKING ABOUT ARE THE POLICIES YOU'VE GIVEN OVER TO US;
23 CORRECT?

24 A. IN PART.

25 Q. AND WHAT'S HAPPENED TO YOU?

26 A. AND THE WAY THEY DEAL WITH ME.

1 Q. AND THAT'S WHAT YOU BASE YOUR CONCLUSION ON?

2 OR HAVE YOU CONCLUDED THAT THE CHURCH HAS
3 TARGETED THESE PLAINTIFFS IN ANY WAY? IS THAT PART OF YOUR
4 OPINION IN THIS CASE?

5 A. I'M AWARE THAT THE ORGANIZATION IS INVOLVED IN
6 THIS LITIGATION AND I AM -- IT'S CLEAR TO ME BY THE
7 QUESTIONS THAT YOU ASK AND BY EVEN YOUR INQUIRY INTO MY
8 CHURCH DURING OUR LAST DAY OF DEPOSITION.

9 BUT AS TO WHO IN THE ORGANIZATION IS RESPONSIBLE
10 FOR THIS LITIGATION, HOW THEY'RE APPROACHING IT, WHETHER OR
11 NOT THEY TAKE AN INTEREST BEYOND JUST THE ASSISTANCE TO YOU
12 IN A GENERAL FORM, I DON'T HAVE THAT INFORMATION. I DO NOT
13 HAVE ANY PRESENT TIME INFORMATION INSIDE THE ORGANIZATION
14 OTHER THAN ITS PRODUCTS WHICH RELATE DIRECTLY TO ME.

15 Q. SO YOU HAVE NO IDEA ACTUALLY WHETHER THE CHURCH
16 HAS TARGETED ANY OF THE PLAINTIFFS FOR THIS FAIR GAME POLICY
17 THAT YOU ALLEGE THEY HAVE; RIGHT?

18 A. RIGHT, NO FIRSTHAND KNOWLEDGE.

19 Q. AND NO SECONDHAND KNOWLEDGE EITHER EXCEPT FROM
20 WHAT YOU CONCLUDE FROM WHAT HAS HAPPENED TO YOU; CORRECT?

21 A. RIGHT, FROM THE WAY THE ORGANIZATION STILL
22 ATTEMPTS TO DEAL WITH PERCEIVED CRITICS, AND NOT DEAL WITH
23 THE CRITICISMS.

24 Q. NOW, HAVE YOU TOLD ME EVERYTHING YOU RECALL OF
25 THE CONVERSATION WITH VIRGINIA SANDERS?

26 A. YEAH.

1 Q. DO YOU RECALL ANYTHING SHE TOLD YOU IN THAT
2 TELEPHONE CALL? IT WAS BY TELEPHONE; RIGHT?

3 A. RIGHT, SHE CALLED, AND IT REALLY WAS AN INQUIRY
4 INTO, "HOW DID IT GO?"

5 Q. DID SHE TELL YOU ANYTHING?

6 A. HOW WAS MY RELATIONSHIP WITH YOU.

7 Q. SHE ASKED YOU THAT?

8 A. YEAH.

9 Q. AND WHAT DID YOU TELL HER?

10 A. OH, I TOLD HER THAT I THOUGHT IT WENT OKAY. YOU
11 KNOW, I DON'T OFFER TOO MANY OPINIONS LIKE THAT, AND I
12 HESITATE TO SAY ANYTHING, YOU KNOW, OTHER THAN WHAT'S
13 OFFICIALLY ON THE RECORD. SO I MAINTAINED MY OWN COUNSEL.

14 Q. SO YOU DIDN'T RESPOND OTHER THAN TO SAY IT WENT
15 OKAY?

16 A. YEAH.

17 Q. OKAY, DO YOU REMEMBER ANYTHING SHE TOLD YOU?

18 A. (WITNESS SHAKES HEAD)

19 Q. DID SHE DESCRIBE ANYTHING ABOUT THE CASE OR HOW
20 IT WAS GOING FROM HER SIDE?

21 A. I THINK SHE MENTIONED THE WRIT BEING DENIED, BUT
22 I THINK IT ALSO CAME UP AT THAT TIME THAT THAT KNOWLEDGE HAD
23 BEEN PASSED OUT HERE AT THE END OF THE DEPOSITION. SO
24 THAT'S -- I DON'T KNOW, IT WAS A VERY BRIEF CALL.

25 Q. ANYTHING ELSE YOU CAN RECALL HER SAYING?

26 A. UM-UM.

1 Q. NOT A THING?

2 A. NO.

3 Q. AND THERE'S NO ONE ELSE THEN THAT YOU TALKED TO
4 AT ALL ABOUT ANYTHING RELATING TO THIS LAWSUIT OR YOUR
5 TESTIMONY HERE SINCE THE LAST DEPOSITION?

6 A. NOTHING COMES TO MIND.

7 MS. REMMERS: OKAY, WHY DON'T WE TAKE A LUNCH
8 BREAK THEN, AND I'LL TRY TO GET THESE THINGS COPIED.

9 MR. ROGALSKI: OKAY.

10 (LUNCHEON RECESS)

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AFTERNOON PROCEEDINGS

THURSDAY, MARCH 12TH, 1992

2:30 P.M.

EXAMINATION (RESUMED):

(DISCUSSION OFF THE RECORD)

MS. REMMERS: LET'S JUST MARK THESE THINGS FOR THE RECORD. THESE ARE MY COPIES, BUT WE'RE GOING TO MARK AS EXHIBIT 24 A 2-PAGE DOCUMENT, "MODERN MANAGEMENT TECHNOLOGY DEFINED," BY L. RON HUBBARD, AND IT HAS WRITING ON THE RIGHT-HAND SIDE, HANDWRITING. AND THEN THE SECOND PAGE SAYS PUBLISHED BY THE CHURCH OF SCIENTOLOGY OF CALIFORNIA. FIRST PRINTING 1976.

[PORTION OF A DOCUMENT ENTITLED, "MODERN MANAGEMENT TECHNOLOGY DEFINED" WAS MARKED AS DEFENDANT'S EXHIBIT NO. 24 FOR IDENTIFICATION.]

BY MS. REMMERS: Q. OKAY, NOW THIS HAS BEEN MARKED AS EXHIBIT 24, MR. ARMSTRONG.

THIS HANDWRITING ON THE FIRST PAGE IS NOT YOURS?

A. RIGHT.

Q. THIS WAS SENT TO YOU BY THE RUMMONDS OFFICE?

A. RIGHT.

Q. WAS ANYTHING ADDITIONAL SENT TO YOU FROM THAT VOLUME?

A. IT MAY HAVE BEEN, BUT I DON'T HAVE A RECOLLECTION

1 AT THE MOMENT. I -- THE MATERIALS WHICH I HAVE -- WELL,
2 THIS IS THE WHOLE COMPLETE VOLUME ITSELF. AND THE MATERIALS
3 I HAVE ARE IN ORDER, BUT I CAN'T TELL FROM HERE.

4 Q. BUT DID YOU SAY THAT THIS WAS A DIFFERENT
5 PUBLICATION OR A DIFFERENT VERSION THAN THE ONE THAT YOU
6 HAVE THAT WE HAVE ALREADY MARKED? WE HAVEN'T MARKED IT.
7 YES, WE HAVE MARKED IT AS EXHIBIT 6. WE'VE AT LEAST MARKED
8 THE COVER PAGE.

9 A. WELL, THIS WAS FIRST COPYRIGHTED IN 1976, AND
10 THIS VOLUME WHICH I HAVE IS IN 1986, A REPRINT. SO THERE
11 ARE SOME CHANGES. WHETHER OR NOT THERE ARE ANY IN THE BODY
12 OF THE OF THE BOOK, I HAVE NOT COMPARED THE TWO VOLUMES ONE
13 AGAINST THE OTHER. BUT THERE ARE CHANGES BETWEEN THE TIME
14 OF 1976 AND '86. THE MARKS OF SCIENTOLOGY WERE TRANSFERRED
15 TO RELIGIOUS TECHNOLOGY CENTER.

16 Q. NOW, THIS SAYS, "ALL OF KATE'S W.I.S.E. MATERIAL
17 CAN BE FOUND VERBATIM IN FOLLOWING CHURCH PUBLICATIONS
18 RESEARCH --" I THINK IT SAYS COMPLIED, BUT MEANS "COMPILED
19 BY THE CULT AWARENESS NETWORK."

20 HAVE YOU WORKED WITH THE CULT AWARENESS NETWORK?

21 A. NO.

22 Q. HAVE YOU TALKED WITH ANYBODY THERE EVER?

23 A. I HAVE SPOKEN TO -- I CAN'T THINK OF HER NAME.
24 SHE SIGNED ONE OF THE DOCUMENTS WHICH WAS GIVEN TO ME, ONE
25 OF THE COMMUNICATION VOLUMES. PRESILIA COATES.

26 Q. YOU'VE SPOKEN TO PRESILIA COATES?

1 A. YES.

2 Q. AND PRESILIA COATES DID WHAT, SIGNED WHAT?

3 A. ONE OF THE DOCUMENTS GIVEN TO ME BY THE RUMMONDS
4 FIRM. IT WAS A COPY OF A COMMUNICATIONS COURSE BOOKLET.
5 AND THERE WAS A STATEMENT SIGNED BY PRESILIA ON THE FRONT
6 PAGE, INDICATING THAT IT WAS A VERIFIED COPY OF THE
7 SCIENTOLOGY PUBLICATION.

8 Q. WAS PRESILIA COATES A SCIENTOLOGIST AT ANY TIME?

9 A. I DON'T KNOW IF SHE WAS.

10 Q. HAVE YOU EVER MET HER PERSONALLY?

11 A. YES.

12 Q. HOW MANY TIMES?

13 A. I RECALL ONCE.

14 Q. WHEN WAS THAT?

15 A. FEBRUARY 20TH, 1991.

16 Q. HOW DO YOU REMEMBER THE DATE?

17 A. IT WAS THE DAY OF THE ORAL ARGUMENT IN THE
18 ARMSTRONG APPEAL.

19 Q. AND SHE WAS PRESENT?

20 A. RIGHT.

21 Q. HAVE YOU EVER MET ANYONE ELSE THAT IS CONNECTED
22 WITH THE CULT AWARENESS NETWORK IN ANY WAY?

23 A. WELL, WHEN YOU SAY IN ANY WAY, THAT'S A VERY
24 BROAD SUBJECT. I WOULD ASSUME THAT YOU'RE CONNECTED IN SOME
25 WAY.

26 Q. I'M CONNECTED TO THE CULT AWARENESS NETWORK IN

1 WHAT WAY?

2 A. IN SOME WAY.

3 Q. WHY WOULD YOU ASSUME THAT?

4 A. BECAUSE I -- YOUR QUESTION IS SO BROAD.

5 Q. WHY WOULD YOU ASSUME THAT I AM CONNECTED TO THE
6 CULT AWARENESS NETWORK IN SOME WAY?

7 A. YOUR NAMES BOTH MAY APPEAR IN THE SAME PHONE
8 BOOK. YOU BOTH ARE AWARE OF SCIENTOLOGY LITIGATION. YOU
9 BOTH KNOW THE SAME LAWYERS. YOU BOTH -- YOU NOW HAVE READ
10 STATEMENTS WRITTEN BY HER. SO THERE'S --

11 Q. LET ME BE MORE CLEAR IF YOU BELIEVE THE WORD
12 CONNECTED MEANS THAT.

13 HAVE YOU EVER TALKED WITH ANYONE THAT YOU BELIEVE
14 HAS HELD ANY KIND OF POSITION WITHIN THE CULT AWARENESS
15 NETWORK OR HELD A DIRECTORSHIP OR CONSULTED WITH THE CULT
16 AWARENESS NETWORK?

17 A. PRESILIA COATES.

18 Q. OTHER THAN MEETING HER THAT ONE TIME, HAVE YOU
19 EVER SPOKEN TO HER?

20 A. BY PHONE.

21 Q. HOW MANY TIMES?

22 A. PERHAPS TWO.

23 Q. WHEN WAS THE LAST TIME?

24 A. PROBABLY TWO MONTHS AGO.

25 Q. WHAT DID YOU TALK TO PRESILIA COATES ABOUT TWO
26 MONTHS AGO?

1 A. I WAS LOOKING FOR A PHONE NUMBER OR A WAY OF
2 CONTACTING SOMEONE.

3 Q. WHO?

4 A. DENNIS ERLICH.

5 Q. DID SHE GIVE YOU HIS NUMBER?

6 A. YES.

7 Q. AND WHY WERE YOU TRYING TO CONTACT HIM?

8 A. (NO RESPONSE)

9 Q. MR. ARMSTRONG?

10 A. YEAH, I'M JUST TRYING TO THINK. I HAD SOME PLAN
11 AT THAT TIME OF -- OH, HE HAD JUST WRITTEN -- HE PUBLISHES
12 "THE INFORMER," WHICH IS A MONTHLY PERIODICAL DEDICATED TO
13 THE EXPOSING OF THE ABUSES OF SCIENTOLOGY, AMONG OTHER
14 THINGS. AND HE PUBLISHED -- HE DEVOTED ONE EDITION TO THE
15 ARMSTRONG/BRECKENRIDGE DECISION. AND I HAVE CONSIDERED
16 WRITING A PIECE FOR "THE INFORMER."

17 Q. HAVE YOU DONE SO?

18 A. NO.

19 Q. OTHER THAN ASKING PRESILIA COATES FOR THAT
20 TELEPHONE NUMBER, DID YOU HAVE ANY OTHER DISCUSSIONS WITH
21 HER?

22 A. AROUND THE TIME THAT I BECAME AWARE OF THE -- A
23 NUMBER OF SP DECLARERS, WHICH HAD BEEN ISSUED BY THE
24 ORGANIZATION ON PEOPLE IN CONNECTION WITH THE CULT AWARENESS
25 NETWORK, I CONTACTED HER AT THAT TIME.

26 Q. WHEN WAS THAT?

1 A. AND I LEFT IT -- THAT WAS SOME MONTHS AGO.
2 PERHAPS THE SPRING OR SUMMER OF 1991.

3 Q. HOW DID YOU BECOME AWARE OF DECLARERS?

4 A. I DON'T KNOW HOW I FIRST HEARD.

5 Q. HAVE YOU SEEN SUCH DOCUMENTS?

6 A. YEAH, UH-HUH.

7 Q. AND DO YOU KNOW WHERE YOU GOT THEM OR WHERE YOU
8 SAW THEM?

9 A. WHERE I SAW THEM WAS IN A LAWYER'S OFFICE, THOSE
10 PARTICULAR ONES. I'VE SEEN A LOT OF DECLARERS. I SHOWED
11 YOU TWO ON ME. I HAVE SOME MORE ON OTHER PEOPLE. THEY'RE A
12 FAIRLY COMMON DOCUMENT.

13 Q. NOW, YOU SAY THERE WERE DECLARERS SPECIFICALLY ON
14 PEOPLE IN THE CULT AWARENESS NETWORK?

15 A. I DON'T THINK THEY WERE IN THE CULT AWARENESS
16 NETWORK BUT BECAUSE OF SOME CONNECTION TO THE CULT AWARENESS
17 NETWORK.

18 Q. WHO WERE THEY DECLARERS AGAINST?

19 A. YOU KNOW, I RECALL ONE NAME -- NO, TWO NAMES.
20 ALEX SIROCCA (PHONETIC) AND HIS WIFE, WHOSE NAME I CAN'T
21 REMEMBER -- BEVERLY.

22 Q. AND THEY WERE BOTH SCIENTOLOGISTS AT ONE TIME?

23 A. RIGHT. AND THERE WERE ANOTHER SET OF DECLARERS,
24 AND THOSE PEOPLE I WAS NOT SO FAMILIAR WITH. AND THEIR
25 NAMES, AS A RESULT, I DON'T RECALL.

26 Q. HAVE YOU EVER SEEN A DECLARER ISSUED AGAINST

1 SOMEONE WHO HAS NOT BEEN AT SOME TIME A SCIENTOLOGIST?

2 A. YEAH.

3 Q. AND WHOSE NAMES WERE ON THOSE?

4 A. THIS WAS -- IT WAS AN ORGANIZATION, AND IT COULD
5 HAVE BEEN THE FDA, SOMETHING LIKE THAT.

6 Q. YOU MEAN THE FEDERAL DRUG ADMINISTRATION?

7 A. I THINK SO.

8 Q. AND WHEN WAS THIS, THAT YOU SAW THIS DOCUMENT?

9 A. ON BOARD THE SHIP, 1972, '73, '74 PERIOD.

10 Q. HAVE YOU SEEN ANY SUCH DECLARERS SINCE THEN
11 AGAINST ANYONE WHO WAS NOT A SCIENTOLOGY MEMBER AT ONE TIME?

12 A. I DON'T BELIEVE SO.

13 Q. OTHER THAN WHAT YOU TOLD ME ABOUT YOUR
14 CONVERSATIONS WITH PRESILIA COATES, CAN YOU THINK OF
15 ANYTHING ELSE THAT YOU'VE TALKED WITH HER ABOUT?

16 A. THERE WAS ONE TIME I WAS TRYING TO LOCATE
17 SOMEBODY BUT WAS UNSUCCESSFUL.

18 Q. WHO WAS THAT?

19 A. I THINK HER NAME WAS ANDERSON, BUT I'M NOT SURE
20 OF HER FIRST NAME RIGHT NOW.

21 Q. WHY WERE YOU TRYING TO LOCATE HER?

22 A. SHE WAS A PERSON RECENTLY FROM THE ORGANIZATION.

23 Q. SHE HAD LEFT?

24 A. YEAH, SHE HAD A -- THE STORY I GOT WAS THAT SHE
25 HAD A -- HER DAUGHTER WAS 13. HER DAUGHTER WAS RAPED IN THE
26 ORGANIZATION BY ONE OF THEIR COURSE INSTRUCTORS.

1 Q. WHO TOLD YOU THAT?

2 A. I THINK IT WAS PRESILIA.

3 Q. PRESILIA TOLD YOU THAT ANDERSON'S DAUGHTER WAS
4 RAPED?

5 A. YEAH. I ENDED UP BEING ABLE TO SPEAK TO ANDERSON
6 AND I -- MY RECOLLECTION IS THAT SHE FILED, ENDED UP FILING
7 A COMPLAINT WITH THE LAPD, AND I DON'T KNOW WHAT THE STATUS
8 OF IT IS. AND I WAS NOT ABLE TO CONTACT HER FURTHER.

9 Q. OTHER THAN PRESILIA COATES, HAVE YOU HAD ANY
10 DISCUSSIONS WHATSOEVER WITH ANYONE CONNECTED TO THE CULT
11 AWARENESS NETWORK IN THE WAY I DESCRIBED CONNECTION?

12 A. NO.

13 Q. HOW ABOUT MARGARET SINGER; DO YOU KNOW IF SHE HAS
14 ANY CONNECTION AT ALL TO THE CULT AWARENESS NETWORK?

15 A. NO.

16 Q. YOU DON'T KNOW ONE WAY OR THE OTHER?

17 A. NO.

18 Q. DO YOU KNOW WHETHER RICHARD OFSHE HAS EVER
19 CONSULTED WITH THE CULT AWARENESS NETWORK?

20 A. I DON'T KNOW.

21 Q. DO YOU KNOW WHO THE BOARD MEMBERS ARE RIGHT NOW
22 OF THE CULT AWARENESS NETWORK?

23 A. A NAME OF CYNTHIA KISSER COMES TO MIND, BUT SHE'S
24 SOMEONE I DON'T KNOW WHERE SHE IS AND I'VE NEVER
25 COMMUNICATED WITH HER.

26 Q. ANYONE ELSE FROM THE CULT AWARENESS NETWORK?

1 A. NO.

2 MS. REMMERS: LET'S JUST MARK THESE TO SAVE TIME.
3 THIS IS 25.

4 [DOCUMENT ENTITLED, "THE ORGANIZATION
5 EXECUTIVE COURSE" WAS MARKED AS
6 DEFENDANT'S EXHIBIT NO. 25 FOR
7 IDENTIFICATION.]

8 [DOCUMENT ENTITLED, "WHAT DOES
9 SCIENTOLOGY PHILOSOPHY DO FOR OUR
10 SOCIETY?" WAS MARKED AS DEFENDANT'S
11 EXHIBIT NO. 26 FOR IDENTIFICATION.]

12 [4-PAGE DOCUMENT, THE FIRST PAGE A
13 LETTER TO JERRY ARMSTRONG FROM CAROLYN
14 RADMANOVICH, DATED FEBRUARY 14, 1992,
15 WAS MARKED AS DEFENDANT'S EXHIBIT NO. 27
16 FOR IDENTIFICATION.]

17 [7-PAGE DOCUMENT, THE FIRST PAGE DATED
18 SEPTEMBER 2, 1988, HEADED "INVOICE," WAS
19 MARKED AS DEFENDANT'S EXHIBIT NO. 28 FOR
20 IDENTIFICATION.]

21 [DOCUMENT ENTITLED, "THE COMMAND
22 CHANNELS OF SCIENTOLOGY" WAS MARKED AS
23 DEFENDANT'S EXHIBIT NO. 29 FOR
24 IDENTIFICATION.]

25 [DOCUMENT ENTITLED, "AMORPHOUS
26 PERSONALITY ATTACKS" WAS MARKED AS
27 DEFENDANT'S EXHIBIT NO. 30 FOR
28 IDENTIFICATION.]

29 BY MS. REMMERS: Q. OKAY, LOOKING AT WHAT'S BEEN
30 MARKED AS EXHIBIT 25, THE ORGANIZATION EXECUTIVE COURSE,
31 THESE FOUR PAGES YOU'VE PUT TOGETHER IN THE ORDER YOU
32 BELIEVE THEY WERE GIVEN TO YOU BY STEVEN HUNZIKER; IS THAT
33 CORRECT?

1 A. OH, NO, I -- I CAN'T ATTEST TO THAT. THEY APPEAR
2 TO BE ALL FROM THE SAME VOLUME, BUT I DO NOT HAVE THE STACK
3 OF DOCUMENTS WHICH I RECEIVED IN ORDER TO DETERMINE FOR
4 SURE.

5 SO I HAVE READ THE VOLUME ZERO OF THE
6 ORGANIZATION EXECUTIVE COURSE, BUT I CANNOT TELL YOU IF THIS
7 IS THE ORDER THAT THESE DOCUMENTS CAME IN.

8 Q. BUT STEVEN HUNZIKER GAVE YOU WHAT'S NOW EXHIBIT
9 25; CORRECT?

10 A. THESE CAME, I BELIEVE, FROM THE RUMMONDS FIRM,
11 ALTHOUGH IT'S POSSIBLE THAT HUNZIKER WAS THE PERSON WHO
12 OBTAINED THEM. I DON'T KNOW THAT.

13 Q. OKAY. THEN LOOKING AT EXHIBIT 26, THESE ARE ALSO
14 DOCUMENTS THAT YOU BROUGHT AT YOUR LAST DEPOSITION. I'D
15 LIKE YOU TO JUST VERIFY THAT THOSE ARE THINGS SENT TO YOU BY
16 THE RUMMONDS OFFICE ALSO. IF YOU COULD JUST KIND OF THUMB
17 THROUGH THEM AND LET ME KNOW IF THAT --

18 A. OH, NOW, WHAT YOU'VE GIVEN ME HERE AS EXHIBIT 26,
19 THEY'RE A NUMBER OF PUBLICATIONS, RIGHT.

20 Q. RIGHT. THESE ARE THINGS THAT YOU PRODUCED AT
21 YOUR LAST DEPOSITION AS THINGS SENT TO YOU BY THE RUMMONDS
22 OFFICE.

23 ARE THOSE THINGS YOU'VE REVIEWED?

24 A. LET ME REVIEW THEM, AND THEN I'LL BE ABLE TO
25 ANSWER THAT.

26 Q. YOU'RE READING IT NOW. DOES THAT MEAN YOU

1 HAVEN'T READ THIS BEFORE, OR ARE YOU JUST NOT RECOGNIZING
2 IT?

3 A. NO, I BELIEVE THAT SO FAR THESE ARE ALL DOCUMENTS
4 THAT I RECEIVED AND WHICH I PRODUCED FOR THE LAST --

5 Q. THAT'S EXHIBIT 26; CORRECT?

6 A. RIGHT, FOR THE LAST DEPOSITION.

7 Q. NOW, ARE THESE DOCUMENTS THAT YOU RELIED ON IN
8 FORMING YOUR OPINION AS YOU'RE GOING TO TESTIFY AT TRIAL?

9 A. (NO RESPONSE)

10 Q. MR. ARMSTRONG?

11 A. I DIDN'T HAVE THESE SPECIFIC DOCUMENTS IN MIND
12 MYSELF.

13 Q. SO YOU'RE NOT RELYING ON THESE DOCUMENTS TO FORM
14 YOUR OPINION?

15 A. I WOULD NOT EXCLUDE THEM FROM DOCUMENTS THAT I
16 WOULD RELY ON. I -- LET ME EXPLAIN THAT. THEY RELATE --
17 OBVIOUSLY, APPLIED SCHOLASTICS IS HERE DESIGNATED AS AN
18 ORGANIZATION USED -- THAT USES HUBBARD'S EDUCATION
19 DISCOVERIES.

20 THE SUCCESS THROUGH COMMUNICATION COURSE, WHICH
21 IS A DUPLICATE OF ONE OF THE COURSES WHICH THEY WERE BEING
22 OFFERED, COMES FROM, APPARENTLY, BECAUSE THESE ARE SOMEONE'S
23 DESIGNATIONS, THE STEVENS CREEK DIANETICS SCIENTOLOGY
24 CENTER.

25 Q. DO YOU BELIEVE THAT BECAUSE THAT'S WRITTEN ON THE
26 TOP OF THE DOCUMENT THAT THAT'S WHERE THAT'S FROM?

1 A. I HAVE NO REASON TO DOUBT THAT IT CAME FROM
2 THERE.

3 Q. BUT HAVE YOU CHECKED INDEPENDENTLY?

4 A. NO, AND I'M NOT -- IF INDEED IT CAME FROM THERE,
5 THEN I CAN SEE THAT FOR MYSELF IT HAS RELEVANCE BECAUSE HERE
6 IS THE SUCCESS THROUGH COMMUNICATION COURSE BEING OFFERED.

7 BUT I AM NOT MAKING THE REPRESENTATION THAT THIS
8 DEFINITELY CAME FROM THE STEVENS CREEK ORGANIZATION. I HAVE
9 NEVER BEEN TO THE STEVENS CREEK ORGANIZATION.

10 Q. AND THERE'S AN ARTICLE FROM THE LOS ANGELES
11 TIMES; CORRECT?

12 A. RIGHT.

13 Q. DID YOU RELY ON THAT IN FORMING THE OPINION THAT
14 YOU'LL TESTIFY TO IN THIS CASE?

15 A. NOW THIS --

16 Q. MR. ARMSTRONG, WOULD YOU ANSWER THE QUESTION?

17 A. HOLD ON. HOLD ON.

18 Q. DID YOU RELY ON THE ARTICLE FROM THE LOS ANGELES
19 TIMES ABOUT THE CHURCH OF SCIENTOLOGY IN FORMING THE
20 OPINIONS THAT YOU'RE GOING TO TESTIFY TO IN THIS CASE?

21 A. NOT SPECIFICALLY. BUT I ALSO -- IN THE -- IT
22 COVERS MY AREA OF EXPERTISE. I WOULD NOT ELIMINATE IT. IT
23 OBVIOUSLY HAS GONE INTO APPLIED SCHOLASTICS AND THE L.A.
24 TIMES HAS INCLUDED ME IN ITS SERIES.

25 Q. YEAH, NOW ARE YOU SAYING THAT WHAT IS SAID BY THE
26 L.A. TIMES THERE, YOU, AS AN EXPERT, BELIEVE TO BE TRUE,

1 EVERYTHING THERE?

2 A. I'M NOT -- I'M NOT STATING THAT. I WILL SAY THAT
3 IN MY OPINION THE REPORTING THAT THE L.A. TIMES HAS DONE ON
4 THE SCIENTOLOGY ORGANIZATION AND ITS PRACTICES HAS BEEN
5 QUITE ACCURATE.

6 Q. OKAY, LET ME ASK YOU AGAIN THEN.

7 ARE YOU USING THAT ARTICLE AS A BASIS FOR FORMING
8 THE OPINIONS THAT YOU'RE GOING TO TESTIFY TO HERE IN THIS
9 CASE? IS THAT ONE OF THE FOUNDATIONS OR THE SUPPORTS THAT
10 YOU'RE USING FOR YOUR OPINION?

11 A. NO.

12 Q. OKAY. THEN TURNING TO EXHIBIT 27, THESE ARE
13 DOCUMENTS ADDRESSED TO YOU. THE FIRST TWO ARE LETTERS FROM
14 THE RUMMONDS OFFICE. THEN THERE'S NOTES THAT YOU'VE ALREADY
15 TESTIFIED TO ABOUT YOUR CONVERSATION WITH RUMMONDS OR WITH
16 CAROLYN AT THE RUMMONDS OFFICE. AND THEN THERE'S SOMETHING
17 FROM RUMMONDS SHOWING THE DEPOSITION SCHEDULE OF ALL THE
18 EXPERTS IN THIS CASE; CORRECT?

19 A. RIGHT.

20 Q. AND THESE ARE DOCUMENTS THAT YOU RECEIVED FROM
21 THE RUMMONDS OFFICE, THOSE FOUR?

22 A. YES, I RECEIVED THE THREE DOCUMENTS FROM THE
23 RUMMONDS OFFICE. AND THE OTHER ONE IS MY OWN HANDWRITTEN
24 NOTES.

25 Q. RIGHT, OKAY.

26 A. THE DATE OF WHICH HAS BEEN CUT OFF IN THE COPYING

1 PROCESS.

2 Q. DO YOU REMEMBER THE DATE? I THINK YOU'VE ALREADY
3 TESTIFIED TO THE DATE.

4 A. OKAY.

5 Q. DO YOU REMEMBER THE DATE?

6 A. I COULD RE-GET IT, BUT I DON'T KNOW THAT WE
7 SHOULD WASTE TIME ON IT.

8 Q. OKAY. THEN WE HAVE ANOTHER SET OF DOCUMENTS THAT
9 APPEAR TO BE -- THESE WERE ALSO PROVIDED TO YOU BY THE
10 RUMMONDS OFFICE. THEY'RE ALL APPLIED SCHOLASTICS DOCUMENTS,
11 INCLUDING THE ONE, I GATHER, TO ROBIN ANDERSON THAT YOU
12 FAXED BACK TO THE RUMMONDS OFFICE?

13 A. OKAY.

14 Q. THAT'S EXHIBIT 28.

15 IS THAT CORRECT? I'M JUST TRYING TO IDENTIFY
16 THAT THEY'RE ALL FROM APPLIED SCHOLASTICS; RIGHT?

17 A. RIGHT, THEY ALL ARE.

18 Q. ARE THESE DOCUMENTS, EXHIBIT 28, THAT YOU HAVE
19 RELIED UPON TO FORM YOUR OPINION IN THIS CASE?

20 A. YES.

21 Q. IN WHAT WAY HAVE YOU RELIED UPON THEM?

22 A. FIRST OF ALL, THEY SHOW THAT APPLIED SCHOLASTICS
23 INDEED WAS PRESENTING SCIENTOLOGY COURSES.

24 Q. HOW DOES IT SHOW THAT?

25 A. BECAUSE THE NAMED -- THE COURSES ARE NAMED AND
26 THE COURSE PACKS DUPLICATE SCIENTOLOGY MATERIALS.

1 AND THEN, SECONDLY, THE FACT THAT APPLIED
2 SCHOLASTICS DENIES A RELIGIOUS AFFILIATION IS SIGNIFICANT,
3 BECAUSE THAT IS STANDARD SCIENTOLOGY PRACTICE: DENY
4 CONNECTIONS, LIE ABOUT YOUR REAL IDENTITY.

5 Q. SO IT'S YOUR UNDERSTANDING THAT APPLIED
6 SCHOLASTICS TOLD APPLIED MATERIALS THAT THEY WERE NOT
7 CONNECTED WITH THE CHURCH OF SCIENTOLOGY; CORRECT?

8 A. OH, THAT'S WHAT IS IMPLIED IN PARAGRAPH NO. 2,
9 THE "HOWEVER, APPLIED SCHOLASTICS HAS NO RELIGIOUS
10 AFFILIATIONS." BUT IT DOES HAVE --

11 Q. AND YOU BELIEVE THAT IS A LIE?

12 A. YEAH, IT IS A LIE. BUT THIS IS -- THIS FOLLOWS
13 THE DATE, I BELIEVE, THE BLOW-UP, THE HUNZIKER, SCHUCHMANN,
14 SANDERS, ANDERSON PROBLEM AT APPLIED SCHOLASTICS. SO IT
15 APPEARS TO BE KIND OF A PR, TRYING TO SMOOTH OVER THAT.

16 Q. WHAT PROBLEM DID SCHUCHMANN HAVE WITH APPLIED
17 SCHOLASTICS?

18 A. OH, WHAT I'M TALKING ABOUT IS THE PROBLEM AT
19 APPLIED MATERIALS, WHEREIN, MY RECOLLECTION IS OCTOBER, JUST
20 PRIOR TO THIS, THEY BROUGHT THE PROBLEM OF THEIR RECOGNITION
21 OF THE SCIENTOLOGY INVOLVEMENT, HUBBARD INVOLVEMENT, TO
22 THEIR SENIORS, THAT GROUP OF FOUR PEOPLE THAT I MENTIONED.

23 Q. SO YOU BELIEVE THAT THE LETTER -- CAN YOU
24 IDENTIFY THE DATE OF THE LETTER THAT YOU'RE TALKING ABOUT
25 HERE IN EXHIBIT 28?

26 A. NOVEMBER 2, 1988.

1 Q. AND THAT'S FROM INGRID GUDENAS TO? IT'S
2 ADDRESSED TO WHOM?

3 A. JAMES BAGLEY, PRESIDENT APPLIED MATERIALS.

4 Q. YOU BELIEVE THAT THAT SHOWS A MISREPRESENTATION
5 OR A LIE, AS YOU SAID, BY APPLIED SCHOLASTICS, INGRID
6 GUDENAS IN PARTICULAR?

7 A. RIGHT, THAT'S MY OPINION.

8 Q. AND YOU BELIEVE THAT APPLIED SCHOLASTICS IS ONE
9 AND THE SAME WITH THE CHURCH OF SCIENTOLOGY?

10 A. IT'S CONTROLLED BY SCIENTOLOGY.

11 Q. SO YOU'D SAY IT'S OWNED BY IT, WOULD YOU?

12 A. I GUESS YOU COULD, YOU KNOW, YOU COULD SAY THAT
13 IN THE SENSE THAT HUBBARD OWNED THE SCIENTOLOGY
14 ORGANIZATION. BUT I CHOOSE TO USE THE WORD CONTROLLED.

15 THEY CONTROL THROUGH VARIOUS WAYS, BOTH
16 CORPORATELY, THROUGH MARKS, THROUGH THEIR AFFILIATION WITH
17 THE SCIENTOLOGY ORGANIZATION, AND WITH THE SCIENTOLOGY
18 PHILOSOPHY, AND BY ADHERENCE TO THE BASIC TENETS OF
19 SCIENTOLOGY.

20 Q. DO YOU HAVE ANY IDEA WHETHER MONIES FLOW BETWEEN
21 APPLIED SCHOLASTICS AND THE CHURCH, OR VICE VERSA?

22 A. I HAVE NO SPECIFIC KNOWLEDGE OF THAT.

23 Q. NOW, LOOKING AT EXHIBIT 29, THIS IS SOMETHING
24 ELSE THAT APPLIED SCHOLASTICS -- OR THAT THE RUMMONDS OFFICE
25 SUPPLIED TO YOU. IT'S CALLED THE COMMAND CHANNELS OF
26 SCIENTOLOGY.

1 HAVE YOU EVER SEEN THE COMMAND CHANNELS OF
2 SCIENTOLOGY IN ITS ENTIRETY?

3 A. I HAVE SEEN THE COMMAND CHANNELS OF SCIENTOLOGY
4 IN VARIOUS FORMS IN ITS ENTIRETY.

5 Q. SO HAVE YOU SEEN THIS FORM?

6 A. SO BEGINNING IN -- I HAVE SEEN THAT, THE
7 PIE-SHAPED LOOK, YES.

8 Q. BUT I MEAN THIS PARTICULAR DOCUMENT. WE HAVE
9 HERE ONLY PAGES 9 AND 20 AND 21 AND 28 OUT OF SOME DOCUMENT.

10 A. I BELIEVE I HAVE.

11 Q. DO YOU KNOW THE DATE THAT THAT WAS PUBLISHED?
12 WE'RE TALKING HERE ABOUT EXHIBIT 29.

13 A. MY RECOLLECTION IS EARLY '80'S.

14 Q. DO YOU KNOW HOW MANY PAGES THE DOCUMENT WAS?

15 A. MY RECOLLECTION WAS THAT IT WAS A BOOKLET,
16 PERHAPS YEA-THICK, PERHAPS QUARTER-OF-AN-INCH THICK. I
17 BELIEVE I MAY BE ABLE TO TO OBTAIN A COMPLETE DOCUMENT.

18 Q. WHAT WAS THE PURPOSE OF THIS DOCUMENT; DO YOU
19 HAVE ANY IDEA?

20 A. I THINK IT'S A PR, PR DOCUMENT.

21 Q. MEANT FOR THE GENERAL PUBLIC?

22 A. RIGHT.

23 Q. DO YOU RECOGNIZE THE HANDWRITING ON THE FIRST
24 PAGE?

25 A. PAGE 9, I'M NOT SURE WHOSE THAT IS.

26 YOU HAD EARLIER IDENTIFIED A SET OF WRITING AS

1 STEVEN HUNZIKER'S, AND THIS -- IF YOU SHOW ME THAT, I THINK
2 THAT I --

3 Q. IT'S NOT YOUR WRITING?

4 A. NO.

5 Q. DO YOU BELIEVE WHAT'S SAID THERE TO BE TRUE?

6 A. IN THE HANDWRITING?

7 Q. YES.

8 A. IT APPEARS TO BE.

9 Q. OKAY. YOU ALSO PRODUCED A DOCUMENT CALLED
10 "AMORPHOUS PERSONALITY ATTACKS AND "AREAS OF CONCERN."

11 CAN YOU TELL ME WHAT THEY ARE?

12 A. YEAH, I BELIEVE THOSE ARE STEVEN'S NOTES, AND
13 THE --

14 Q. THIS IS EXHIBIT 30 WE'RE LOOKING AT.

15 OKAY, THESE ARE THINGS HE TYPED UP AND SENT THEM
16 TO YOU DIRECTLY?

17 A. I'M NOT SURE THAT HE TYPED THEM UP. BUT I
18 BELIEVE THAT THEY ARE HIS, AND WE DISCUSSED THEM, AND WE
19 WENT OVER THAT LIST CERTAINLY OF THE AMORPHOUS ATTACKS, I
20 BELIEVE HE CALLED IT.

21 Q. OKAY. YOU TALKED TO HIM DIRECTLY ABOUT THIS?

22 A. RIGHT.

23 Q. WHEN DID HE GIVE THIS TO YOU?

24 A. I -- I'M NOT CERTAIN AT THIS POINT IF I GOT THOSE
25 IN THE FIRST PILE OF STUFF OR THE -- OR WHEN EXACTLY. BUT I
26 HAD THEM AT OUR MEETING WHICH WAS DOWN IN THE SANTA CLARA

1 HILTON, AND I DON'T RECALL WHEN EXACTLY.

2 MS. REMMERS: WELL, LET'S MARK THIS SECOND PAGE
3 31.

4 [DOCUMENT ENTITLED, "AREAS OF CONCERN"
5 WAS MARKED AS DEFENDANT'S EXHIBIT NO. 31
6 FOR IDENTIFICATION.]

7 BY MS. REMMERS: Q. SO EXHIBIT 30 IS A 1-PAGE
8 DOCUMENT, "AMORPHOUS PERSONALITY ATTACKS," AND THERE'S THIS
9 LONG LIST.

10 DID HE TELL YOU WHAT THESE THINGS WERE? DID HE
11 TELL YOU THESE THINGS HAPPENED TO HIM OR WERE SAID TO HIM?

12 A. RIGHT NOW MY RECOLLECTION IS THAT, AND I COULD BE
13 WRONG, THERE'S A LIST OF THINGS WHICH HE DESCRIBED AS
14 HAPPENING TO HIM OR THINGS THAT WERE SAID TO HIM. SOME OF
15 THEM MAY BE QUOTES. SOME OF THEM MAY BE DESCRIPTIONS. AND
16 THEN I THINK THAT DOWN TOWARD THE BOTTOM, THERE'S ANOTHER
17 SET, ANOTHER WAY OF VIEWING IT. MAYBE I WAS THINKING OF
18 THAT BIG PARAGRAPH IN THE MIDDLE.

19 Q. DID YOU RELY UPON EXHIBIT 30 IN FORMING YOUR
20 OPINION THAT YOU'LL EXPRESS IN TRIAL IN THIS CASE?

21 A. WHAT I ARRIVED AT REGARDING THAT WAS THAT IT WAS
22 CONSISTENT -- THE WAY HE WAS DEALT WITH WAS CONSISTENT WITH
23 SCIENTOLOGY'S METHODS, PRACTICE AND PHILOSOPHY IN DEALING
24 WITH OTHER PEOPLE THAT IT CONSIDERS ARE CRITICS OR WHO ARE
25 IN ITS PATH. IT HAS A POLICY OF ATTACK THE ATTACKER, AND
26 THE ATTACKS ARE GENERALLY PERSONAL PERSONALITY ATTACKS.

SO I AM ONLY TAKING THIS AS FAR AS SAYING,

1 BECAUSE I WAS NOT THERE, I DON'T KNOW WHAT ALL THE
2 CONNECTIONS ARE TO SCIENTOLOGY, AND WHO'S A SCIENTOLOGIST
3 AND WHO'S NOT A SCIENTOLOGIST IN ALL OF THIS OPERATION
4 INSIDE APPLIED MATERIALS.

5 BUT IT IS CONSISTENT WITH SCIENTOLOGY'S POLICIES,
6 AND THAT'S WHY I PRODUCED THEM, OF BLACK PR. IT IS
7 CONSISTENT WITH THE WAY THEY'VE DEALT WITH ME.

8 Q. NOW, I'LL GO THROUGH EACH ONE OF THESE, UNLESS
9 YOU TELL ME IT'S NOT GOING TO DO ANY GOOD, BUT TO ASK YOU
10 EVERY SINGLE THING HE TOLD YOU ABOUT THE CONTEXT OF EACH ONE
11 OF THESE. DID HE GET THAT SPECIFIC WITH YOU?

12 A. I DON'T THINK SO. LET ME GLANCE AT THEM.
13 OTHERWISE IT COULD BE VERY LABORIOUS.

14 THE UNAUTHORIZED TRIP TO JAPAN. HE TOLD ME THAT
15 HE -- THAT IT WAS COMPLETELY AUTHORIZED AND THAT HE HAS
16 SHOWN IT WAS AUTHORIZED.

17 Q. WHO DID HE TELL YOU ACCUSED HIM OF TAKING AN
18 UNAUTHORIZED TRIP TO JAPAN?

19 A. I DON'T RECALL AT THIS POINT WHERE THE ACCUSATION
20 CAME FROM OR WHAT TIME.

21 Q. DO YOU KNOW ANY OF THE FACTS REGARDING THAT?

22 A. I HAVE -- I HAVE HIS STATEMENT THAT IT WAS
23 AUTHORIZED, AND I HAVE NOT SEEN, I BELIEVE, WHERE HE HAS
24 BEEN ACCUSED OF TAKING AN UNAUTHORIZED TRIP. I HAVE SEEN
25 WITHIN -- I THINK IT'S YOUR STATEMENT OF FACTS AND PERHAPS
26 THE SUMMARY JUDGMENT MOTION AND --

1 Q. YOU'VE READ THE SUMMARY JUDGMENT MOTION?

2 A. RIGHT.

3 Q. WHEN DID YOU DO THAT?

4 A. OH, BETWEEN -- OVER THE LAST WEEK, SOMETHING LIKE
5 THAT.

6 Q. WHAT ELSE HAVE YOU REVIEWED BETWEEN THEN AND NOW?

7 A. I TRIED --

8 Q. DID YOU BRING THE DOCUMENTS THAT YOU REVIEWED?

9 A. NO, WE HAD THAT SET LAST TIME.

10 Q. IT'S THE SAME?

11 A. THAT'S ALL THERE WAS. SO I TRIED TO REVIEW --
12 REMEMBER, I BROUGHT A BIG STACK OF DOCUMENTS, ALL OF WHICH I
13 HAD NOT HAD THE TIME TO REVIEW UP TO THAT TIME.

14 Q. RIGHT, SO YOU REVIEWED EVERYTHING?

15 A. I DON'T KNOW THAT I'VE GOTTEN TO EVERYTHING, BUT
16 I'VE TRIED AS MUCH AS POSSIBLE.

17 HIS STATEMENT REGARDING ALL OF THESE THINGS WAS
18 THAT WHENEVER -- AND IN EACH INSTANCE WHEN HE ASKED FOR
19 SPECIFICS, HE COULD NOT GET A SPECIFIC BUT GOT BACK WHAT IN
20 HIS OPINION WAS ANOTHER GENERALITY. HE COULDN'T PIN ANYONE
21 DOWN ON SPECIFICS. AND THAT WAS HOW --

22 Q. SPECIFICS OF WHAT?

23 A. NEGATIVITY.

24 "WHAT DO YOU MEAN I'M NEGATIVE?"

25 "YOU'RE NEGATIVE."

26 AND THEN IT WOULD PASS ONTO SOME OTHER STATEMENT

1 OF --

2 Q. SO HE TOLD YOU NOBODY TOLD HIM ANYTHING OTHER
3 THAN HE WAS NEGATIVE?

4 A. WELL, "YOU MAKE HOSTILE AND PROVOCATIVE
5 COMMENTS."

6 "WHAT COMMENTS?"

7 NONE WERE PROVIDED, ACCORDING TO HIM.

8 Q. WHAT WITH RESPECT TO DAMAGING COMMENTS? WHAT WAS
9 SAID TO HIM ABOUT THAT?

10 A. I -- I HAVE NO RECOLLECTION OF ANY SPECIFIC
11 DAMAGING COMMENT. I DON'T KNOW THAT HE --

12 Q. AS YOU LOOK DOWN THE LIST, DO YOU HAVE ANY
13 SPECIFICS AS TO ANY OF THOSE ITEMS? DO YOU RECALL ANYTHING
14 THAT HE SPECIFICALLY TOLD YOU?

15 A. WHAT HE SPECIFICALLY TOLD ME WAS THAT THERE WERE
16 NO SPECIFICS TO BACK UP THE THINGS THAT HE WAS BEING ACCUSED
17 OF IN THIS AMORPHOUS ATTACK.

18 Q. OKAY, WHEN DID HE TELL YOU THAT SOMEBODY SAID --
19 THAT HE WAS OUT TO GRAYMAIL THE COMPANY AND BY WHOM?

20 A. HE DID MENTION THAT TO ME IN OUR CONVERSATION,
21 AND I COULD NOT SWEAR RIGHT NOW WHO IT WAS WHO SAID THAT TO
22 HIM, IF INDEED THEY SAID IT.

23 Q. DO YOU KNOW WHO ACCUSED HIM OF BEING A THIEF, WHO
24 HAD STOLEN DOCUMENTS?

25 A. NO, BUT I BELIEVE NOW THAT MAY RELATE TO THE
26 DOCUMENTS WHICH HE OBTAINED WHILE WORKING AT APPLIED

1 MATERIALS PRIOR TO FILING THIS LAWSUIT.

2 Q. HAVE YOU READ HIS DEPOSITION TESTIMONY, WHERE HE
3 ADMITS THAT HE TOOK DOCUMENTS?

4 A. NO, I HAVE NOT SEEN HIS DEPOSITION.

5 Q. WOULD THAT CHANGE YOUR OPINION THAT SOMEBODY HAD
6 BEEN ACCUSING HIM?

7 A. I HAVE NOT SEEN THE ACCUSATION.

8 Q. LET ME GET THIS. ARE YOU ACCEPTING AS TRUE, IN
9 ORDER TO FORM YOUR OPINION, ALL OF THE THINGS THAT STEVEN
10 HUNZIKER HAS TOLD YOU? ARE YOU ACCEPTING ALL OF THAT AS
11 TRUE?

12 A. NO.

13 Q. WHAT ARE YOU NOT ACCEPTING AS TRUE?

14 A. I DON'T HAVE -- I'M ACCEPTING THE FACT THAT HE
15 MADE THESE STATEMENTS, THAT HE HAS STATED THAT SOMEONE ELSE
16 ACCUSED HIM OF THESE THINGS.

17 Q. RIGHT. AND DO YOU BELIEVE HIM?

18 A. DO I BELIEVE THAT THAT HAPPENED.

19 Q. YES.

20 A. I HAVE NO INFORMATION ON WHICH TO FORM AN OPINION
21 ABOUT THAT. MY OPINION ONLY RUNS AS FAR AS IF INDEED THIS
22 HAPPENED, AND IF INDEED HE VOICED A LEGITIMATE CONCERN, AND
23 I THINK HIS CONCERN WAS VERY LEGITIMATE AND THAT --

24 Q. WHAT WAS HIS CONCERN THAT YOU THINK WAS
25 LEGITIMATE THAT HE VOICED?

26 A. HUBBARD'S SCIENTOLOGY CONNECTION.

1 Q. WHAT? WHAT ABOUT IT?

2 A. THAT WITHIN A CORPORATION IN WHICH ONE IS
3 EMPLOYED, AND TO SEE THAT COME INTO THE CORPORATION, ALARMS
4 SHOULD HAVE GONE OFF ALL OVER THE PLACE.

5 Q. ARE YOU SAYING THAT IT'S YOUR OPINION THAT A
6 CORPORATION SHOULD NOT BE ALLOWED TO TEACH HUBBARD BASED
7 MATERIALS?

8 A. YES, AND THE REASON FOR THAT IS THAT IT ISN'T A
9 SIMPLE MATTER OF TEACHING HUBBARD BASED MATERIALS. IT'S A
10 COMPLICATED MATTER OF CONTROL, DOMINATION, EXPLOITATION.

11 Q. OKAY, SO IT'S YOUR OPINION THAT EVEN IF PEOPLE
12 VOLUNTARILY GO INTO A HUBBARD BASED COURSE IN A CORPORATION,
13 THAT THEY SHOULD NOT BE ALLOWED TO HAVE THAT OPPORTUNITY;
14 CORRECT?

15 A. I'M NOT SURE WHAT EXACTLY YOU MEAN BY THAT, BY
16 THAT PHRASE. WHEN SCIENTOLOGY RENOUNCES ITS VEIL OF
17 RELIGIOSITY, RENOUNCES ITS SO CALLED RELIGIOUS STATUS AND
18 ADMITS TO WHAT IT REALLY IS --

19 Q. WHICH IS WHAT?

20 A. RIGHT NOW, IT'S A TOTALITARIAN CULT BUT --

21 Q. WITH NO RELIGIOUS UNDERPINNINGS?

22 A. THE RELIGIOUS -- OH, ANYTHING WHICH COULD BE
23 POSSIBLY CONSTRUED AS RELIGION IS OVERSHADOWED BY THE
24 DOMINATION, WHICH COMES FROM THE TOP OF THE ORGANIZATION,
25 AND THE EXPLOITATION OF ANYTHING THAT MIGHT BE RELIGIOUS.

26 IT'S LIKE A GUN. ONE WANTS, WITH A GUN, TO BE

4
1 ABLE TO AIM IT VERY RIGHT. WE WANT THE MARKSMAN ON OUR
2 OLYMPIC TEAM TO SHOOT STRAIGHT. BUT WHEN THE GUN IS POINTED
3 AT YOU, YOU WANT IT TO SHOOT CROOKED.

4 Q. SO WHAT DOES THAT MEAN?

5 A. IT'S THE WAY IT'S USED.

6 Q. SO DO YOU THINK RIGHT NOW THAT THE GOVERNMENT
7 OUGHT TO STOP THE CHURCH OF SCIENTOLOGY FROM OPERATING?

8 A. NO.

9 Q. DO YOU THINK PEOPLE OUGHT TO BE ABLE TO BE
10 MEMBERS OF THE CHURCH OF SCIENTOLOGY IF THEY WANT TO BE?

11 A. YEAH.

12 Q. SO GETTING BACK TO MY QUESTION, DO YOU THINK THAT
13 PEOPLE OUGHT TO BE ALLOWED TO TAKE HUBBARD BASED COURSES,
14 LET'S SAY THE TIME MANAGEMENT COURSE THAT'S OFFERED BY SMITH
15 AND ASSOCIATES, OR THE COURSE KEYS TO EFFECTIVE
16 COMMUNICATION, OR SUCCESS THROUGH COMMUNICATION, WHATEVER
17 IT'S CALLED, FROM APPLIED SCHOLASTICS? DO YOU THINK THAT
18 EMPLOYEES IN AN ORGANIZATION OUGHT TO BE ALLOWED TO TAKE
19 THAT IF THEY WANT TO?

20 A. AS LONG AS IT IS OFFERED IN THE SAME WAY THAT A
21 CHURCH OPENS ITS DOORS; THAT IS, AS AN EMPLOYEE, YOU CAN GO
22 TO THE CHURCH OF ALL FAITHS. YOU CAN GO TO THE BAPTIST
23 CHURCH. YOU CAN GO WHERE YOU WANT. BUT TO BRING THE
24 BAPTISTS INTO THE CORPORATION AND SAY "FROM NOW ON WE ARE
25 GOING TO PRACTICE CHURCH OF BAPTISM IN THIS CORPORATION,"
26 NOT -- NOT FAIR, UM-UM, ESPECIALLY WHEN YOU HAVE A GOAL OF

1 DOMINATION AND CONTROL COMING FROM THE TOP OF THAT
2 ORGANIZATION. THAT --

3 Q. SO YOU'RE SAYING THAT YOU DON'T THINK THE
4 CORPORATION SHOULD BRING -- SHOULD ALLOW L. RON HUBBARD
5 BASED MATERIALS TO BE USED BECAUSE THEY ARE RELIGIOUS AND IT
6 WOULD VIOLATE RELIGIOUS FREEDOMS?

7 A. WHAT I'M SAYING IS --

8 Q. IS THAT CORRECT?

9 A. NO.

10 Q. WHAT ARE YOU SAYING THEN?

11 A. WHAT I'M SAYING IS THAT THEY MUST BE HONEST ABOUT
12 WHAT IS INVOLVED IN THE INDOCTRINATION PROCESS INTO
13 SCIENTOLOGY, AND THEY SHOULD NOT BE ALLOWED TO CALL IT
14 SOMETHING DIFFERENT AND DENY THE CONNECTION TO SCIENTOLOGY,
15 AND WORSE, TO DENY THE DOMINATION BY SCIENTOLOGY OF THE
16 PERSONNEL, THE TECHNIQUES, THE IMPLEMENTATION, AND THE
17 PROGRAMMING.

18 Q. YOU'RE TALKING ABOUT APPLIED SCHOLASTICS?

19 A. CORRECT.

20 Q. OKAY. SO --

21 A. AND W.I.S.E.

22 Q. AND W.I.S.E.

23 A. UH-HUH.

24 Q. SO IT TAKES AN EXPERT IN YOUR OPINION, I THINK
25 YOU TESTIFIED BEFORE, TO UNDERSTAND THIS DOMINATION, AN
26 EXPERT SUCH AS YOURSELF WHO UNDERSTANDS THE CONNECTION WITH

1 THE CHURCH AND THE TECHNIQUES AND THE CONTROL; ISN'T THAT
2 RIGHT?

3 A. I AM ONE WHO DOES UNDERSTAND, FROM MY EXPERIENCE
4 AND FROM MY STUDY, THOSE THINGS.

5 Q. DO YOU HAVE --

6 A. NOW, IT IS POSSIBLE FOR SOMEONE WHO HAS STUDIED
7 IN ANOTHER FIELD TO UNDERSTAND DOMINATION AND CONTROL
8 WITHOUT HAVING GONE THROUGH THE PROCEDURES THAT I WENT
9 THROUGH. I BRING ANOTHER PARTICULAR PIECE OF EXPERTISE.

10 Q. BUT IT WOULD TAKE SOMEBODY WHO HAD STUDIED THE
11 CHURCH OF SCIENTOLOGY AND HAD SOME ACADEMIC BACKGROUND TO BE
12 ABLE TO PUT IT TOGETHER, CORRECT, AS AN EXPERT?

13 A. WELL, WHEN YOU SAY "AND SOME ACADEMIC
14 BACKGROUND," I ASSUME THAT YOU ARE SAYING I DO NOT HAVE MUCH
15 OF AN ACADEMIC BACKGROUND AND YOU HOPE TO PRECLUDE THAT.

16 Q. NO, I WASN'T SAYING THAT, MR. ARMSTRONG. I WAS
17 REFERRING TO THE OTHER PEOPLE YOU WERE TESTIFYING ABOUT.
18 OTHERS MIGHT BE ABLE TO DO WHAT YOU HAVE BEEN ABLE TO DO WHO
19 HAVE NOT BEEN THROUGH THE CHURCH. THAT'S WHAT I WAS TALKING
20 ABOUT.

21 THOSE OTHER PEOPLE, WOULD IT IN YOUR OPINION
22 REQUIRE THAT THEY HAD STUDIED THE CHURCH, SINCE THEY HADN'T
23 GONE THROUGH IT THE WAY YOU HAD, WOULD IT REQUIRE THEY STUDY
24 THE CHURCH OF SCIENTOLOGY AND THAT THEY HAVE SOME ACADEMIC
25 BACKGROUND?

26 A. AGAIN HERE, WE'RE LOOKING AT IT FROM A JUDGE OR

1 JURY'S VIEWPOINT. THERE PROBABLY IS A DIFFERENCE BETWEEN
2 SOMEONE WHO HAS STUDIED A SUBJECT AND SOMEONE WHO HAS
3 PARTICIPATED IN IT IN THE WAY THAT I HAVE.

4 SO I THINK THE EXPERTISE I OFFER IS DIFFERENT IN
5 THAT REGARD. I DO NOT HAVE A PSYCHOLOGICAL DEGREE TO BE
6 ABLE TO MAKE PRONOUNCEMENTS GENERALLY REGARDING UNDUE
7 INFLUENCE AND PERSUASION AND MANIPULATION.

8 Q. BUT YOU CAN IDENTIFY WHAT HAPPENED TO YOU
9 PERSONALLY?

10 A. EXACTLY.

11 Q. OKAY, BUT YOU CAN'T TESTIFY ABOUT THE
12 PSYCHOLOGICAL AFFECT OF THE PLAINTIFFS HERE ON WHAT HAPPENED
13 TO THEM; CORRECT?

14 A. I HAVE -- I'M NOT CLAIMING TO DO THAT, AND I HAVE
15 NOT SPENT ANYWHERE NEAR ENOUGH TIME TO BE ABLE TO DO THAT,
16 AND I HAVE NOT TALKED WITH THEM WITH AN END TOWARD DOING
17 THAT.

18 Q. OKAY, BUT NOW GETTING BACK TO WHETHER SOMEONE
19 LOOKING, JUST LOOKING AT THE APPLIED SCHOLASTICS MATERIAL
20 THAT WAS OFFERED IN THIS CASE, THE SUCCESS THROUGH
21 COMMUNICATION COURSE, AND OTHER COURSE MATERIALS, AND
22 LOOKING AT THE TIME MANAGEMENT MATERIAL, WHICH I KNOW YOU'VE
23 LOOKED AT, IN YOUR OPINION WOULD IT TAKE AN EXPERT WHO HAD
24 SOME EXPERIENCE, EITHER LIKE YOURSELF WITH THE CHURCH OR HAD
25 AN ACADEMIC UNDERSTANDING AND HAD STUDIED THE CHURCH, TO
26 UNDERSTAND THE CONNECTIONS THAT YOU'VE POINTED OUT IN THESE

1 MANY DOCUMENTS OF THOSE MATERIALS TO THE CHURCH OF
2 SCIENTOLOGY?

3 A. I THINK THAT ONCE THE -- ONCE THE CONNECTION IS
4 MADE SUFFICIENTLY, TAKING, FOR EXAMPLE, A JUROR, I BELIEVE
5 THAT A JUROR COULD PUT THOSE TWO DOCUMENTS TOGETHER AND SAY
6 "YES, THEY'RE ESSENTIALLY THE SAME THING."

7 HOWEVER, THE JUROR DOES NOT KNOW WHAT'S THE END
8 PRODUCT OF THIS ONE OVER HERE. THIS CLAIMS TO BE APPLIED
9 SCHOLASTICS. IT HAS TAKEN ALL THE RELIGIOUS MUMBO-JUMBO OUT
10 OF IT. OVER HERE THEY'RE CALLING IT SCRIPTURES. BUT WHERE
11 DOES THE SCRIPTURE TRAIL GO TO.

12 THAT'S WHAT I KNOW.

13 Q. AND THAT'S WHAT IT WOULD TAKE AN EXPERT TO KNOW
14 IN YOUR OPINION; CORRECT?

15 A. I GUESS, IN PART. I HAPPEN TO HAVE EXPERTISE IN
16 THE SUBJECT OF FAIR GAME, PARTLY BECAUSE I'VE STUDIED THE
17 DOCUMENTS, PARTLY BECAUSE I WAS THE INTELLIGENCE OFFICER ON
18 BOARD, PARTLY BECAUSE I WAS INVOLVED IN ANTISOCIAL ACTS
19 AGAINST MY FELLOWS INSIDE, AND PARTLY BECAUSE I'VE BEEN FAIR
20 GAME SINCE 1982.

21 Q. LET'S TAKE A HYPOTHETICAL HERE.

22 IF I HAVE VIRTUALLY NO UNDERSTANDING OF THE
23 CHURCH OF SCIENTOLOGY, I HAVE READ NO L. RON HUBBARD WORK, I
24 HAVE READ VIRTUALLY NOTHING ABOUT L. RON HUBBARD, I MAY HAVE
25 READ SOMEWHERE ALONG THE LINE THAT HE WAS CONNECTED WITH THE
26 FOUNDING OF THE CHURCH OF SCIENTOLOGY, BUT I KNOW NO MORE

1 THAN THAT, AND I LOOK AT THESE MATERIALS YOU'VE REVIEWED --
2 THE SUCCESS THROUGH COMMUNICATION, THE TRAIN THE TRAINER --
3 WOULD YOU EXPECT ME, WITHOUT THE ASSISTANCE OF AN EXPERT
4 LIKE YOU, TO UNDERSTAND THE RAMIFICATIONS OF THOSE
5 MATERIALS: (A) THE CONNECTION TO THE CHURCH OF SCIENTOLOGY,
6 AND (B) THE RAMIFICATION OF THOSE MATERIALS?

7 A. I DON'T THINK SO. I DON'T THINK YOU COULD.

8 Q. LET ME GO BACK TO THIS EXHIBIT 30 AGAIN. IS
9 THERE ANYTHING ELSE IN HERE? YOU SAID YOU'RE NOT TAKING
10 THIS TO BE TRUE? THIS IS WHAT STEVEN HUNZIKER TELLS YOU ARE
11 THINGS THAT WERE SAID TO HIM OR ABOUT HIM?

12 A. RIGHT.

13 Q. YOU DON'T KNOW WHAT THE CONTEXT IS; CORRECT? I
14 MEAN YOU WEREN'T THERE. YOU HAVEN'T READ DEPOSITION
15 TESTIMONY TO TELL YOU.

16 A. RIGHT, OTHER THAN IN MY CONVERSATION, IN YOUR
17 QUESTIONING, IN MY COMMUNICATIONS WITH JIM RUMMONDS, WITH
18 TWO OF THE PLAINTIFFS, WITH JOHN ELSTEAD, IN READING THE
19 LEGAL THINGS, I HAVE DEVELOPED IN MY MIND A CONTEXT IN WHICH
20 THESE EVENTS OCCURRED.

21 Q. RIGHT, BUT YOU --

22 A. IF THEY OCCURRED, THEN I HAVE SOMETHING OF AN
23 UNDERSTANDING OF A CONTEXT.

24 Q. BUT YOU'VE NOT READ THE DEPOSITION TESTIMONY OF
25 LINDA OXMAN OR GLEN TONEY OR JAMES BAGLEY OR STEVE REA OR
26 GLEN SOPP OR OTHERS, WHERE THEY DESCRIBE WHAT THEY REMEMBER

1 OF THE EVENTS SURROUNDING THIS LAWSUIT; CORRECT?

2 A. CORRECT.

3 Q. WOULD YOU CONTINUE TO HOLD TO YOUR OPINION THAT
4 WHAT HAPPENED TO STEVEN HUNZIKER, ACCORDING TO HIS OWN STORY
5 TO YOU, IS CONSISTENT WITH YOUR UNDERSTANDING OF THE
6 CHURCH'S FAIR GAME POLICY IF YOU READ DEPOSITION TESTIMONY
7 THAT CONTROVERTED WHAT STEVEN SAYS OR PUT IN CONTEXT WHAT
8 STEVEN SAYS? FOR INSTANCE, BAD-MOUTHING THE COMPANY, DO YOU
9 HAVE ANY IDEA IN WHAT CONTEXT THAT WAS SAID, IF IT WAS SAID?

10 A. I DON'T RECALL.

11 Q. SO IF YOU -- LET ME PUT IT ANOTHER WAY.

12 WOULD YOU IMAGINE THAT THERE WOULD BE SOME
13 CIRCUMSTANCES IN WHICH A COMPANY MAY SAY TO SOME EMPLOYEE,
14 "WE REALLY DON'T APPRECIATE YOUR BAD-MOUTHING THIS COMPANY,"
15 AND THAT THAT WOULD NOT IN ITSELF TELL YOU THAT THIS WAS
16 CONNECTED TO THE FAIR GAME DOCTRINE OR CONSISTENT WITH IT?

17 A. ABSOLUTELY. THESE THINGS CAN HAPPEN TO ANYONE IN
18 ANY COMPANY, WITH ANY GROUP, IN ANY FAMILY. PEOPLE CAN SAY
19 THESE THINGS, CAN ACCUSE YOU OF THESE THINGS. THEY MAY OR
20 MAY NOT BE TRUE.

21 Q. AND THEY MAY OR MAY NOT BE CONSISTENT WITH THE
22 FAIR GAME DOCTRINE; CORRECT?

23 A. THE FAIR GAME DOCTRINE IS A MIND-SET, AND A WAY
24 OF DEALING WITH PERCEIVED ENEMIES.

25 Q. WAIT, LET ME GO BACK.

26 YOU'VE TESTIFIED THAT IT'S YOUR OPINION THAT WHAT

1 STEVEN HUNZIKER HAS TOLD YOU HAPPENED TO HIM IS CONSISTENT
2 QUOTE, UNQUOTE WITH YOUR UNDERSTANDING OF THE FAIR GAME
3 DOCTRINE; IS THAT CORRECT?

4 A. IT'S MY -- IT'S MY UNDERSTANDING THAT, AND I MORE
5 SPECIFICALLY SAID BLACK PR CAMPAIGNS --

6 Q. RIGHT, WHICH WAS AN EXAMPLE OF THE FAIR GAME
7 DOCTRINE, YOU SAID?

8 A. RIGHT, IF THAT HAPPENED IN THAT COMPANY, IN THE
9 WAY STEVEN DESCRIBES IT, THEN IT IS CONSISTENT WITH THE WAY
10 THAT SCIENTOLOGY DEALS WITH ITS CRITICS. IT DOESN'T -- IT
11 DOESN'T DEAL WITH THE CRITICISM. IT ATTACKS THE CRITIC.

12 NOW, THERE ARE PEOPLE --

13 Q. WAIT, LET ME STOP YOU THERE.

14 A. OKAY.

15 Q. WOULD YOU ALSO SAY THAT EVEN IF WHAT STEVEN
16 HUNZIKER SAID WAS TRUE, THAT TAKING EVERYTHING HE SAID TO
17 YOU ABOUT WHAT HAPPENED TO HIM WAS TRUE, THAT THAT COULD
18 ALSO BE CONSISTENT WITH THE KIND OF TREATMENT SOME COMPANIES
19 MAY GIVE EMPLOYEES WHO ARE GIVING THEM A HARD TIME ABOUT
20 SOMETHING?

21 A. NO DOUBT. I DO NOT THINK THAT SCIENTOLOGY OWNS
22 ALL THE BAD ACTS IN THE WORLD. I'M NOT CLAIMING THAT AT
23 ALL.

24 Q. OKAY, LET ME JUST STOP YOU THERE.

25 SO THAT IT IS ALSO POSSIBLE THAT THE KINDS OF
26 THINGS THAT STEVEN HAS DESCRIBED TO YOU COULD BE CONSISTENT

1 WITH A CORPORATE PHILOSOPHY THAT HAS ABSOLUTELY NOTHING TO
2 DO WITH THE CHURCH OF SCIENTOLOGY OR FAIR GAME; CORRECT?

3 A. IT'S POSSIBLE.

4 Q. OKAY. NOW, STEVEN ALSO GAVE YOU, I TAKE IT,
5 EXHIBIT 31 WHICH SAYS "AREAS OF CONCERN." I'LL JUST SHOW
6 YOU "AREAS OF CONCERN"; RIGHT?

7 A. RIGHT.

8 Q. NOW, WHAT DID HE TELL YOU ABOUT THIS DOCUMENT?

9 A. LET ME SEE IT.

10 Q. LET ME ASK YOU IF YOU REMEMBER WHAT HE TOLD YOU
11 ABOUT THIS DOCUMENT WHEN HE GAVE IT TO YOU?

12 A. I DON'T HAVE THE DOCUMENT IN FRONT OF ME. I
13 REALLY THINK IN ALL FAIRNESS YOU OUGHT TO SHOW IT TO ME.

14 Q. I THOUGHT YOU MIGHT REMEMBER.

15 A. I DO REMEMBER QUITE WELL.

16 Q. CAN YOU TELL ME WHAT HE TOLD YOU? I'M NOT ASKING
17 YOU TO READ THE DOCUMENT. I'M ASKING IF YOU RECALL WHAT HE
18 TOLD YOU WHEN HE GAVE YOU THAT YOU DOCUMENT? I TAKE IT YOU
19 CAN'T ANSWER THE QUESTION WITHOUT THE DOCUMENT, WITHOUT
20 READING IT?

21 A. I DON'T RECALL HIM ACTUALLY GIVING ME THIS
22 DOCUMENT, BUT RATHER IT WAS INCLUDED IN THE STACK OF
23 MATERIALS. AND LAST TIME I DID MENTION THE PILING ON OF
24 WORK. I THINK HE USED THAT PHRASE.

25 Q. YES, AND THAT HE HAD TOLD YOU THESE THINGS?

26 A. YEAH, SO THIS NO. 3, THE "WILD AND VICIOUS

1 UNSUBSTANTIATED CHARACTER ASSASSINATION," THAT'S, I GUESS,
2 THAT LIST THERE.

3 Q. WHAT DID HE TELL YOU WAS WILD AND VICIOUS?

4 A. I DIDN'T ASK HIM SPECIFIC ABOUT THAT. I DID NOT
5 GO OVER THIS DOCUMENT WITH HIM. I GLANCED AT IT AT THE
6 TIME. I READ IT LATER.

7 Q. DOES THIS IN ANY WAY SUPPORT THE OPINIONS THAT
8 YOU'RE GOING TO TESTIFY TO AT TRIAL HERE?

9 A. (NO RESPONSE)

10 Q. MR. ARMSTRONG, DOES THIS DOCUMENT THAT YOU'RE
11 LOOKING AT IN ANY WAY -- ARE YOU IN ANY WAY RELYING ON
12 EXHIBIT 31?

13 A. IF THESE THINGS ARE TRUE.

14 Q. CAN I HAVE THE DOCUMENT, PLEASE?

15 A. THEN IT WOULD TEND TO SUPPORT WHAT I HAVE TO SAY
16 AND MY OPINION . . .

17 Q. OKAY.

18 A. . . . ABOUT SCIENTOLOGY'S METHODS IN DEALING WITH
19 PEOPLE.

20 Q. OKAY, MR. --

21 A. BUT, AGAIN, I DO NOT HAVE ANY SPECIFIC
22 INFORMATION THAT AT THE TIME THE -- AFTER HUNZIKER AND THE
23 OTHER PLAINTIFFS OBJECTED TO WHAT THEY SAW AS A SCIENTOLOGY
24 COURSE, OR HOWEVER THEY ANNOUNCED IT AT THE TIME, THAT
25 WHATEVER HAPPENED TO THEM WAS NECESSARILY CONTROLLED BY
26 SCIENTOLOGY, ORCHESTRATED BY SCIENTOLOGY, OR THAT THERE WERE

1 SCIENTOLOGISTS DIRECTLY OR EVEN INDIRECTLY INVOLVED.

2 Q. OKAY, NOW IF YOU LEARNED THAT NO. 4 HERE, UNDER
3 "AREAS OF CONCERN," IF YOU LEARNED THAT STEVEN HUNZIKER DID
4 NOT HAVE WORK PILED ON HIM TO ASSURE THAT HE WOULD FAIL, AND
5 WAS NOT THEN ACCUSED OF NOT COMPLETING HIS WORK AFTER HE
6 MADE COMPLAINTS ABOUT THE HUBBARD BASED COURSES, WOULD IT
7 CHANGE YOUR OPINION THAT WHAT HAPPENED TO HIM IS CONSISTENT
8 WITH THE FAIR GAME DOCTRINE?

9 A. IF THAT'S THE ONLY POINT WHICH IS ELIMINATED?

10 Q. YES.

11 A. THAT'S HARD TO SAY. IF HOWEVER --

12 Q. WOULD IT BE SIGNIFICANT?

13 A. IF IT WAS SHOWN TO ME THAT THE PEOPLE IN CHARGE
14 IN APPLIED MATERIALS RECOGNIZED THE NATURE OF THE COURSES
15 THAT THEY WERE ATTEMPTING TO IMPLEMENT IN APPLIED MATERIALS,
16 AND IF THEY ACTED IN A CONSCIENTIOUS MANNER, AND IF THEY
17 CARED FOR THEIR EMPLOYEES COMPLETELY, AND IF HUNZIKER AND
18 THE OTHERS -- IF THEIR STORIES ARE JUST SO MUCH BULLSHIT,
19 THEN I WOULD AGREE SCIENTOLOGY HAS NOTHING WHATSOEVER TO DO
20 WITH IT.

21 Q. LET ME GO BACK A SECOND.

22 A. I HAVE NOT SEEN THAT. I HAVE NOT SEEN THEIR
23 CLAIMS REBUTTED.

24 Q. OKAY. WELL, YOU'VE NOT BEEN PROVIDED WITH ANY
25 MATERIAL, ISN'T THAT CORRECT, UNDER OATH TESTIMONY OF THE
26 MANAGERS AT ISSUE HERE?

1 A. I HAVE -- THERE ARE PIECES WHICH ARE INCLUDED IN
2 YOUR MOTION FOR SUMMARY JUDGMENT.

3 Q. RIGHT, BUT YOU'VE NOT READ THE TRANSCRIPTS?

4 A. I HAVE NOT READ THE TRANSCRIPTS. THAT'S TRUE.

5 Q. LET ME GO BACK. I HAD ASKED YOU WHETHER -- WELL,
6 YOU SAID IF THE COMPANY HAD RECOGNIZED THE ISSUES AND DEALT
7 WITH THEM.

8 HAS ANYBODY TOLD YOU THAT WHEN STEVEN COMPLAINED,
9 THE COMPANY IMMEDIATELY MADE A DECISION NOT TO EVER OFFER
10 HUBBARD BASED COURSES AGAIN? HAS ANYONE TOLD YOU THAT?

11 A. I HAVE, I BELIEVE, SEEN THAT, ALTHOUGH THEY DID
12 NOT USE THOSE -- I DON'T THINK IT WAS QUITE AS DEFINITE WHEN
13 VIRGINIA AND STEVEN TALKED TO ME. THEY DID SAY SOMETHING
14 ABOUT A DECISION, FUTURE DECISIONS REGARDING WHAT COURSES TO
15 BE TAUGHT WOULD BE MADE BY EDD. I THINK THERE WAS A
16 STATEMENT LIKE THAT PUT OUT AT THE TIME.

17 Q. RIGHT.

18 A. THAT'S MY RECOLLECTION.

19 Q. SO THEY DIDN'T TELL YOU THAT THEY WERE TOLD BY
20 THE GENERAL COUNSEL AT THIS COMPANY, JIM DELONG, THAT THERE
21 WOULDN'T BE ANY MORE HUBBARD BASED COURSES IN THE COMPANY?

22 A. NOW.

23 Q. DID YOU KNOW THAT?

24 A. LATER ON, THEY MAY HAVE BEEN TOLD SOMETHING LIKE
25 THAT. I HAVE SEEN SOMETHING LIKE THAT WRITTEN IN THE
26 PAPERS.

1 Q. IN FACT, THEY WERE TOLD WITHIN A WEEK OR A FEW
2 DAYS OF THE COMPLAINT; CORRECT?

3 A. COULD BE.

4 Q. DOES THAT CHANGE YOUR OPINION AT ALL ABOUT --
5 LET'S START HERE.

6 DO YOU HAVE ANY INFORMATION WHATSOEVER THAT THE
7 COMPANY HAS EVER BROUGHT IN APPLIED SCHOLASTICS AGAIN OR ANY
8 OTHER OUTSIDE VENDOR TO TEACH HUBBARD BASED MATERIALS?

9 A. NO INFORMATION.

10 Q. IS IT SIGNIFICANT TO YOU AT ALL IF IT TURNS OUT
11 THAT THE COMPANY HAS NEVER TAUGHT L. RON HUBBARD MATERIAL
12 SINCE THIS ISSUE WAS RAISED BY STEVEN HUNZIKER? WOULD THAT
13 MAKE A DIFFERENCE TO YOU?

14 A. NO, IT WOULDN'T MEAN ANYTHING BY ITSELF BECAUSE
15 IT COULD SIMPLY MEAN THAT THERE'S AN ALLEGIANCE THERE, AND
16 THEY'VE BEEN TOLD TO, YOU KNOW, CUT THEIR LOSSES AND CUT
17 THEIR COMMUNICATION LINE. I DON'T KNOW WHAT THAT -- WHAT
18 THAT SIGNIFIES. IT CERTAINLY IS -- NO, I JUST CAN'T. I
19 CAN'T MAKE THAT CALL.

20 Q. IF YOU LEARNED THAT WHAT KATE SCHUCHMANN ASKED
21 FOR WAS TO HAVE A NOTE PUT IN HER FILE THAT SHE WOULD NOT BE
22 RETALIATED AGAINST AND TO HAVE THE APPROVAL OF ALL OUTSIDE
23 COURSES CENTRALIZED, AND THAT THE COMPANY DID THOSE TWO
24 THINGS AT HER REQUEST, WOULD THAT CHANGE YOUR OPINION AT ALL
25 THAT THE COMPANY WAS USING METHODS CONSISTENT WITH THE FAIR
26 GAME DOCTRINE?

1 A. I THINK THAT, YOU KNOW, IN ALL OF THIS, I THINK
2 THAT THERE CERTAINLY HAVE BEEN INSTANCES WHERE THE COMPANY
3 DID DEAL WITH THESE PEOPLE FAIRLY. SO IT ISN'T JUST A --
4 YOU KNOW, THEY WERE NOT DEALT WITH IN THE SAME WAY THAT A
5 SCIENTOLOGY STAFFER WOULD HAVE BEEN DEALT WITH INSIDE THE
6 SCIENTOLOGY ORGANIZATION, SHOULD A SCIENTOLOGY PERSON OBJECT
7 TO A COURSE OR CRITICIZE L. RON HUBBARD. THAT'S A WHOLE
8 DIFFERENT THING.

9 Q. OKAY.

10 A. SO I THINK THEY WERE --

11 Q. BUT YOU THINK THEY WERE DEALT WITH AS A PERSON
12 OUTSIDE THE SCIENTOLOGY ORGANIZATION WOULD BE DEALT WITH?

13 A. I DON'T KNOW.

14 Q. WOULD IT BE CONSISTENT WITH THE FAIR GAME POLICY
15 IF YOU LEARNED THAT KATE SCHUCHMANN, AFTER SHE COMPLAINED,
16 WITHIN A FEW MONTHS, WAS GIVEN AN 11 PERCENT PAY INCREASE,
17 THE HIGHEST INCREASE OF ANYBODY IN HER DEPARTMENT?

18 A. WOULDN'T SEEM LIKE IT TO ME.

19 Q. ALL RIGHT. WOULD IT BE CONSISTENT WITH THE FAIR
20 GAME DOCTRINE IN YOUR OPINION IF AFTER --

21 A. YOU KEEP USING THAT, "CONSISTENT WITH FAIR GAME."

22 Q. THAT WAS YOUR TESTIMONY.

23 A. WELL, I BEGAN THIS TESTIMONY BY SAYING THAT IT
24 WAS CONSISTENT WITH THE WAY SCIENTOLOGY DEALS WITH CRITICS.

25 OKAY. NOW, FAIR GAME IS A DOCTRINE WHICH IS A
26 PHILOSOPHIC MIND-SET WHICH STATES . . .

1 Q. LET ME; CORRECT IT.

2 A. . . . WHICH STATES, WITH REGARD TO ENEMIES,
3 SOMEONE DESIGNATED A SUPPRESSIVE PERSON, THEN THE ACTS WHICH
4 ARE PERMISSIBLE WITHIN SCIENTOLOGY TOWARD THAT PERSON, RUN
5 THE WHOLE RANGE, LYING ALL THE WAY THROUGH DESTROYING.

6 THAT DOESN'T MEAN THAT ALL OF THOSE THINGS HAVE
7 TO BE APPLIED TO EVERYONE ALL OF THE TIME . . .

8 Q. OKAY. LET ME ASK YOU --

9 A. . . . BUT SIMPLY . . .

10 Q. I'LL CLARIFY MY QUESTION.

11 A. . . . BUT SIMPLY, REGARDING THE AREA OF
12 CRITICISM, I WOULD HAVE THOUGHT THAT IF THE COMPANY -- IF IT
13 HAD EXHIBITED A LITTLE ALARM -- BUT THE TRUTH WAS THIS
14 SCIENTOLOGY TECHNOLOGY, DOGMA, SCRIPTURES, WHATEVER YOU WANT
15 TO CALL IT, HAD BEEN IN THAT COMPANY AT LEAST SINCE 1985 IN
16 ONE FORM OR ANOTHER.

17 Q. OKAY, LET ME STOP YOU THERE. LET ME JUST
18 REPHRASE MY QUESTION SINCE YOU OBJECTED TO THE FAIR GAME
19 ISSUE.

20 IF YOU LEARNED THAT KATE SCHUCHMANN, AFTER SHE
21 EXPRESSED CRITICISM OF THE HUBBARD BASED COURSE, WAS GIVEN
22 AN 11 PERCENT PAY INCREASE, WOULD THAT IN YOUR VIEW BE
23 CONSISTENT WITH THE WAY THE CHURCH OF SCIENTOLOGY WOULD
24 HANDLE A CRITIC?

25 A. GENERALLY NOT, I WOULD SAY.

26 Q. WOULD IT BE CONSISTENT IN YOUR OPINION WITH THE

1 WAY THE CHURCH OF SCIENTOLOGY WOULD HANDLE A CRITIC IF
2 VIRGINIA SANDERS, AFTER SHE EXPRESSED CRITICISM OF THE L.
3 RON HUBBARD BASED COURSES, IF SHE RECEIVED NO PERFORMANCE
4 CRITICISM IN WRITING, NO DISCIPLINARY WARNINGS?

5 A. IT'S HARD TO SAY. IF THAT'S ALL THAT HAPPENED TO
6 HER, THAT SHE COMPLAINED, AND THEN ABSOLUTELY NOTHING
7 HAPPENED, THEN I WOULD SAY THAT THAT IS NOT CONSISTENT WITH
8 THE WAY SCIENTOLOGY DEALS WITH ITS CRITICS.

9 Q. WHAT DO YOU THINK HAPPENED TO VIRGINIA SANDERS
10 THAT IS CONSISTENT WITH THE WAY SCIENTOLOGY DEALS WITH ITS
11 CRITICS?

12 A. FROM WHAT I CAN DETERMINE, THEIR REAL CONCERN WAS
13 NOT ACKNOWLEDGED BUT DOWN-PLAYED. THE CONNECTION TO
14 SCIENTOLOGY WAS IN EFFECT DENIED, AND THE INVOLVEMENT OF
15 OTHERS IN SCIENTOLOGY, IN WHATEVER GUISE HAD BEEN GOING ON
16 WITHIN THE COMPANY WAS DENIED. AND IT APPEARS FROM THE
17 DESCRIPTIONS OF VIRGINIA AND STEVEN THAT THEY WERE VERBALLY
18 HARASSED, BROWBEATEN, AND THAT THEY WERE --

19 Q. LET'S TALK ABOUT HER. SHE WAS VERBALLY HARASSED
20 AND BROWBEATEN, SHE TOLD YOU?

21 A. I BELIEVE THAT --

22 Q. ON HOW MANY OCCASIONS?

23 A. I DON'T RECALL THE NUMBER OF OCCASIONS. MY
24 RECOLLECTION IS LINDA OXMAN AND GLEN TONEY. TO WHAT DEGREE,
25 I DON'T KNOW.

26 Q. NOW, YOU SAID THAT THE INVOLVEMENT OF PEOPLE WAS

1 DENIED. ARE YOU SAYING THAT THERE WAS INVOLVEMENT BY PEOPLE
2 AT THE COMPANY IN THE CHURCH OF SCIENTOLOGY THAT WAS DENIED?

3 A. ACCORDING TO THIS LETTER FROM APPLIED
4 SCHOLASTICS, SOME 60 PEOPLE IN APPLIED MATERIALS HAD BEEN
5 GIVEN -- HAD BEEN RUN THROUGH APPLIED SCHOLASTICS HUBBARD
6 SCIENTOLOGY COURSES. THAT'S A BIG CHUNK OF PERSONNEL.
7 THAT'S A BIG INVOLVEMENT.

8 Q. DO YOU KNOW HOW MANY EMPLOYEES THE COMPANY HAS?
9 WHEN YOU SAY IT'S A BIG CHUNK OF PERSONNEL . . .

10 A. IT IS.

11 Q. . . . DO YOU KNOW HOW MANY IT HAS WORLD WIDE?

12 A. LET'S SAY IT HAS 2,000. I DON'T KNOW. BUT IN
13 ANY CASE 60 AT THIS ONE.

14 Q. WHEN YOU SAY "RUN THROUGH," DO YOU HAVE ANY IDEA
15 WHETHER PEOPLE WERE ASKED WHETHER THEY WANTED TO GO?

16 A. I -- I DIDN'T -- I DON'T KNOW HOW IT WAS
17 ARRANGED. I DON'T KNOW IF IT WAS EXPECTED. I DON'T KNOW IF
18 ARRANGEMENTS WERE MADE FOR THEM. I DON'T KNOW A NUMBER OR
19 HOW THE RECRUITING FOR THESE COURSES WAS DONE. BUT SOMEBODY
20 IN APPLIED MATERIALS HAD A RELATIONSHIP WITH AT LEAST INGRID
21 AT APPLIED SCHOLASTICS.

22 Q. WHEN YOU SAY A RELATIONSHIP, WHAT DO YOU MEAN?

23 A. THEY HAD DONE A SERIES OF COURSES. SOME -- IT
24 WASN'T -- SOMEBODY KNEW SOMEBODY.

25 Q. WHEN YOU SAY "KNEW," DO YOU MEAN THAT SOMEBODY
26 HAD A RELATIONSHIP, MEANING THAT IT WAS A PERSONAL

1 RELATIONSHIP, OR THEY WERE PART OF THE SAME RELIGIOUS
2 ORGANIZATION, OR WHAT?

3 A. I DON'T KNOW WHAT THE RELATIONSHIP IS, BUT INGRID
4 WAS ABLE TO DELIVER A NUMBER OF COURSES. IT WAS NOT A ONE
5 TIME DEAL. IT HAD BEEN GOING ON FOR A NUMBER OF YEARS.

6 SCIENTOLOGY MATERIALS APPEAR BACK IN EARLY
7 APPLIED MATERIALS' MATERIAL. GLEN TONEY IS INVOLVED, AND SO
8 IS JIM MORGAN INVOLVED IN A COURSE WHICH DOES THE A.R.C.
9 TRIANGLE WHICH IS THE BASIS OF SCIENTOLOGY.

10 Q. HOW IS JIM MORGAN INVOLVED IN THAT? WHAT DID HE
11 HAVE TO DO WITH IT?

12 A. I DON'T KNOW. HE'S ON SOME LIST.

13 Q. BUT YOU BELIEVE HE IS INVOLVED?

14 A. HE'S ON THIS LIST -- THAT'S ALL I'M SAYING -- OF
15 PEOPLE INVOLVED IN DOING THIS COURSE.

16 Q. DO YOU HAVE ANY IDEA HOW ON EARTH HE WAS
17 INVOLVED, WHETHER HE WAS EVEN THERE THAT DAY?

18 A. (WITNESS SHAKES HEAD)

19 Q. YOU'RE JUST ASSUMING IT; CORRECT?

20 A. I'M JUST GIVING YOU LITTLE PIECES OF INFORMATION
21 WHICH GO BACK TO 1985.

22 Q. RIGHT, BUT YOU --

23 A. NOW, IF THEY HAD COME FORWARD AND SAID, "OH, YOU
24 KNOW, OUR EYES ARE OPENED. FAIR GAME IS OBNOXIOUS. WHAT
25 THEY DO TO PEOPLE IN THAT ORGANIZATION, WE SHOULD NOT BE
26 APPLYING THAT HERE. THANK YOU FOR BLOWING THE WHISTLE,"

1 THAT'S DIFFERENT. SEE, AND THAT'S --

2 Q. WOULD IT CHANGE YOUR OPINION IF YOU LEARNED THAT
3 THE MEMORANDUM THAT WENT INTO KATE SCHUCHMANN'S FILE SAID,
4 "THANK YOU FOR RAISING THE ISSUE. WE DEEM THE ISSUE YOU
5 RAISED HAD MERIT"?

6 A. I DON'T BELIEVE I'VE EVER SEEN THAT.

7 Q. WOULD THAT AFFECT YOUR OPINION IN ANY WAY?

8 A. I -- IT'S A GOOD DOCUMENT, UH-HUH.

9 Q. YOU MEAN A GOOD DOCUMENT FOR APPLIED MATERIALS?

10 A. I'M NOT SURE, PROBABLY FOR THE WHOLE CASE
11 GENERALLY.

12 Q. LET ME GO BACK. IS IT YOUR TESTIMONY -- WELL,
13 LET ME ASK YOU.

14 WELL, DO YOU THINK IT'S POSSIBLE FOR AN
15 INDIVIDUAL TO TAKE A LOOK AT, LET'S SAY, THE TIME MANAGEMENT
16 COURSE, LOOK AT THE TIME MANAGEMENT COURSE MATERIALS, THINK
17 THE TIME MANAGEMENT COURSE MATERIALS COULD BE UTILIZED WELL
18 IN AN ORGANIZATION, AND CONTRACTS WITH A COMPANY TO BRING
19 THE TIME MANAGEMENT COURSE, BE IT HUBBARD BASED, INTO THE
20 COMPANY TO DO NOTHING OTHER THAN TEACH GOOD TIME MANAGEMENT
21 SKILLS; IN OTHER WORDS, DO YOU THINK IT'S POSSIBLE FOR
22 SOMEBODY -- I'M SURE YOU'D SAY DUPED -- BUT DO YOU THINK
23 IT'S POSSIBLE GENERALLY FOR SOMEBODY TO BELIEVE THOSE
24 MATERIALS ARE GOOD, THAT THEY'RE NOT RELIGIOUS, THAT THEY'RE
25 GOOD MATERIALS?

26 A. IF THE CONTEXT IN WHICH THAT HAPPENED DID NOT

1 ALLOW FOR ANY ORGANIZATION -- WHEN I SAY ORGANIZATION I'M
2 TALKING ABOUT SCIENTOLOGY ORGANIZATION -- CONTROL OF THE
3 PEOPLE IMPLEMENTING THE COURSE, AND IF THE PEOPLE
4 IMPLEMENTING THE COURSE WERE NOT SCIENTOLOGISTS, THEN, YES.
5 BUT THE TWO ARE SO INSEPARABLE. THAT'S WHAT THIS IS ABOUT,
6 THE INSEPARABILITY OF HUBBARD'S TECHNOLOGY.

7 Q. YES, HIS TECHNOLOGY FROM THE RELIGION, BECAUSE
8 YOU BELIEVE HIS TECHNOLOGY IS RELIGIOUS; CORRECT?

9 A. I BELIEVE THAT THE ORGANIZATION CLAIMS ADAMANTLY,
10 FOR THE PURPOSE OF HIDING BEHIND THE FIRST AMENDMENT, AND SO
11 THAT IT COULD CARRY OUT WHAT WOULD IN ANOTHER CONTEXT BE
12 CLEARLY TORTIOUS OR CRIMINAL ACTS AGAINST ITS PRESENT AND
13 FORMER MEMBERS -- THAT'S WHY IT'S CALLING ALL OF THESE
14 THINGS, WHICH ARE AT BEST MANAGEMENT TECHNOLOGY, RELIGION.
15 BUT IT CALLS THEM RELIGION SO IT DIDN'T MAKE THAT
16 SEPARATION.

17 Q. I UNDERSTAND, MR. ARMSTRONG, AND YOU'VE TESTIFIED
18 TO THAT QUITE A BIT.

19 SO SOMEBODY LOOKING AT THIS, NOT EVEN SOMEBODY AS
20 EDUCATED AS YOU ABOUT THESE MATTERS, BUT SOMEBODY COULD SAY
21 "THIS IS MANAGEMENT TECHNOLOGY" AND HAVE NOT THE FOGGIEST
22 THAT THIS COULD BE CONSIDERED RELIGIOUS BY THE SCIENTOLOGY
23 CHURCH; CORRECT? ISN'T THAT CORRECT?

24 A. IF YOU WERE TO TAKE THESE POLICIES, SOME OF WHICH
25 I GAVE YOU . . .

26 Q. I'M TALKING ABOUT THE TIME MANAGEMENT MATERIAL

1 AND THE SUCCESS THROUGH COMMUNICATION.

2 A. . . . STRIP OFF THE NAME HUBBARD AND --

3 Q. NO, LET ME GO BACK FOR A MINUTE. IF YOU KNOW
4 NOTHING ABOUT THE CHURCH OF SCIENTOLOGY -- I WENT BACK
5 THROUGH THIS A MINUTE AGO.

6 IF YOU KNOW NOTHING ABOUT THE CHURCH OF
7 SCIENTOLOGY, BUT WHAT YOU KNOW IS YOU WANT TO HAVE A SUCCESS
8 THROUGH COMMUNICATION OR A COMMUNICATION SKILLS DEVELOPMENT
9 COURSE IN YOUR COMPANY, BECAUSE THE COMPANY NEEDS TO IMPROVE
10 INTERPERSONAL COMMUNICATION . . .

11 A. RIGHT.

12 Q. . . . AND SOMEBODY COMES TO YOU AND SAYS, "LOOK,
13 WE SELL THIS COURSE. HERE'S THE SUCCESS THROUGH
14 COMMUNICATION MATERIAL. IT IS HUBBARD BASED, BUT WE AREN'T
15 THE CHURCH OF SCIENTOLOGY, AND THIS IS NOT HUBBARD'S
16 RELIGIOUS WRITING. THIS IS HIS TECHNOLOGY," AND THIS
17 INDIVIDUAL LOOKS AT IT, IS IT YOUR OPINION THE PERSON COULD
18 LOOK AT IT AND SAY, "OKAY, YOU SAY YOU'RE NOT THE CHURCH OF
19 SCIENTOLOGY. AND AS I LOOK AT THIS MATERIAL, IT LOOKS LIKE
20 IT COULD TEACH INTERPERSONAL COMMUNICATIONS."

21 SOMEBODY COULD CONCLUDE THAT; ISN'T THAT RIGHT?

22 A. UH-HUH.

23 Q. AND BE COMPLETELY DUPED, OR NOT EVEN KNOW THE
24 CHURCH CALLS THIS RELIGION; CORRECT?

25 A. COULD BE DUPED. COULD BE NEGLIGENT. YEP.

26 Q. BUT CERTAINLY NOTHING ON THE SURFACE OF IT WOULD

1 SCREAM OUT AT SOMEBODY THAT THIS IS CHURCH OF SCIENTOLOGY
2 RELIGIOUS PHILOSOPHY; RIGHT?

3 A. EXCEPT THE NAME L. RON HUBBARD.

4 Q. RIGHT, THE FACT THAT HUBBARD --

5 A. RIGHT.

6 Q. BUT IF SOMEBODY IS TOLD, "THIS IS NOT THE CHURCH
7 OF SCIENTOLOGY. WE'RE NOT CONNECTED WITH THE CHURCH. WE
8 JUST USE HIS MANAGEMENT TECHNOLOGY," THEY WOULD HAVE NO WAY
9 OF KNOWING OTHERWISE UNLESS THEY RESEARCHED IT?

10 A. IF SOMEBODY HAD NEVER HEARD OF HUBBARD AND NEVER
11 HEARD OF THE CHURCH OF SCIENTOLOGY, YES. BUT THE CHURCH OF
12 SCIENTOLOGY ENJOYS SUCH A REPUTATION AND L. RON HUBBARD
13 ENJOYS SUCH A REPUTATION THAT A VERY QUICK INVESTIGATION
14 WOULD REVEAL ENOUGH INFORMATION VERY QUICK.

15 Q. ON EXHIBIT 31 IT SAYS, "SCIENTOLOGY IN THE
16 EMPLOYEE DEVELOPMENT DEPARTMENT SUPPORTED BY THE VICE
17 PRESIDENT OF HUMAN RESOURCES WHO IS ALSO RESPONSIBLE FOR EEO
18 EMPLOYEE COMPLAINTS."

19 DO YOU KNOW WHAT IS MEANT BY STEVEN HUNZIKER HERE
20 WHEN HE SAID "SUPPORTED BY"?

21 A. YOU BETTER LET ME READ THE WHOLE THING.

22 Q. I'M JUST READING THE ONE SENTENCE THAT SAYS --

23 A. I --

24 Q. OKAY, DID HE TELL YOU WHAT IS MEANT BY THE VICE
25 PRESIDENT OF HUMAN RESOURCES SUPPORTED SCIENTOLOGY IN THE
26 DEPARTMENT? CAN I HAVE THE DOCUMENT BACK, PLEASE?

1 A. UH-HUH.

2 Q. WHAT DID HE TELL YOU?

3 A. I DON'T KNOW THAT I SPECIFICALLY ASKED HIM ABOUT
4 THAT OR THAT HE SAID ANYTHING SPECIFIC ABOUT IT. AGAIN,
5 IN --

6 Q. LET ME ASK YOU THIS.

7 A. WHEN HE'S TALKING ABOUT . . .

8 Q. WE'RE GOING TO BE HERE FOR DAYS.

9 A. . . . SUPPORTED, THERE WERE A LOT OF COURSES.

10 Q. I'M JUST ASKING THE QUESTION --

11 A. THERE WERE A LOT OF COURSES TAKEN OR DELIVERED IN
12 APPLIED MATERIALS BY APPLIED SCHOLASTICS OVER A PERIOD OF
13 TIME.

14 Q. YEAH.

15 A. SCIENTOLOGY MATERIALS SHOW UP IN 1985.

16 Q. DO YOU HAVE ANY --

17 A. I THINK THAT'S WHAT IT'S REFERRING TO THERE.

18 Q. DO YOU HAVE ANY IDEA, MR. ARMSTRONG, WHAT ROLE
19 GLEN TONEY HAD IN ANY OF THOSE COURSES? DO YOU KNOW WHETHER
20 HE SIGNED OFF ON THEM, KNEW ABOUT THEM; DO YOU HAVE ANY
21 IDEA?

22 A. ONLY THAT I HAVE SEEN HIM AS A PARTICIPANT IN ONE
23 OF THE COURSES, THE EARLY COURSES IN WHICH THE SCIENTOLOGY
24 A.R.C. TRIANGLE APPEARS.

25 Q. RIGHT, YOU SAW HIS NAME THERE.

26 DO YOU HAVE ANY IDEA WHETHER HE TAUGHT THAT

1 SEGMENT OF THAT COURSE AT ALL?

2 A. I DON'T KNOW IF HE DID.

3 Q. YOU HAVE NO IDEA?

4 A. NO.

5 Q. WHEN STEVEN SAYS HERE, "ATTEMPTED TO INDOCTRINATE
6 ALL TRAINERS IN THE COMPANY DECEPTIVELY, AND THEN HOLD
7 RESPONSIBLE VIA TIE TO PERFORMANCE REVIEW," DID HE TELL YOU
8 HE WAS BEING HELD RESPONSIBLE IN HIS PERFORMANCE REVIEW FOR
9 ANY SCIENTOLOGY MATERIAL?

10 A. HE DID NOT DO THE COURSE.

11 Q. RIGHT.

12 A. WHAT HE SAID ABOUT THAT WAS THAT A TRAINER SUCH
13 AS HIMSELF IS HELD RESPONSIBLE FOR LATER TRAINING OTHERS ON
14 WHAT HE HAS BEEN TRAINED ON. HE WAS BEING TRAINED ON THE
15 COURSE AS A TRAINER. SO HE WAS BEING TRAINED IN ORDER TO
16 DELIVER SCIENTOLOGY, AND HIS LATER JOB PERFORMANCE WOULD BE
17 GRADED ON HIS EFFECTIVENESS IN INDOCTRINATING OTHERS.
18 THAT'S IT.

19 Q. HE TOLD YOU THAT THAT WOULD HAVE BEEN THE PURPOSE
20 OF THE COURSE HE WAS TAKING?

21 A. THAT THAT IS THE WAY THAT TRAINERS WERE GRADED,
22 THAT EVALUATIONS OF TRAINERS OCCURRED IN THAT MANNER.

23 Q. SO HE TOLD YOU HIS CONCLUSION WAS THAT HE WOULD
24 HAVE BEEN REQUIRED TO GO OUT AND TRAIN OTHERS IN
25 SCIENTOLOGY?

26 A. I THINK THAT THAT'S ROUGHLY HIS CONCLUSION, YES.

1 Q. NOW, NO. B, "SCIENTOLOGY CONTROL OF CORPORATE
2 TRAINING WORLD WIDE IS A WET DREAM FOR A RELIGION THAT
3 CONSISTS OF A GRADATION OF COURSES."

4 WHAT DID HE TELL YOU IN THAT REGARD?

5 A. I DON'T -- I DON'T KNOW IF HE WENT INTO ANY MORE
6 SPECIFICS. THAT'S A BROAD GENERAL STATEMENT ABOUT
7 SCIENTOLOGY'S ATTEMPT TO GAIN A FOOTHOLD IN OTHER
8 INDUSTRIES, WHICH IT HAS DONE. IT HAS GOALS, PLANS,
9 PROJECTS IN ORDER TO DO THAT IN VARIOUS FIELDS OF ENDEAVOR,
10 PROFESSIONAL OR IN THIS CASE EDUCATION.

11 Q. NOW, DO YOU HAVE ANY KNOWLEDGE WHATSOEVER ABOUT
12 WHAT HE CALLS A HOSTILE AND AUTHORITARIAN WORK ENVIRONMENT?
13 DO YOU KNOW WHAT THE WORK ENVIRONMENT WAS LIKE ON A
14 DAY-TO-DAY BASIS AT APPLIED MATERIALS EXCEPT FROM WHAT
15 STEVEN HAS TOLD YOU? WELL, LET ME SAY EXCEPT FOR WHAT
16 STEVEN AND THE OTHER PLAINTIFFS HAVE TOLD YOU.

17 A. RIGHT, I DON'T BELIEVE SO. AGAIN, I HAVE NOT
18 BEEN GIVEN OTHER DEPOSITIONS OF PEOPLE WHO ARE INVOLVED IN
19 THE CASE.

20 Q. HAS ANYBODY TOLD YOU THAT THE COMPANY HAS
21 ENDEAVORED TO GIVE EMPLOYEES EMPOWERMENTS SO THAT THEY --

22 DO YOU KNOW WHAT THE WORD EMPOWERMENTS MEANS?

23 A. PRETTY MUCH.

24 IN FACT, VIRGINIA TOLD ME THAT, I BELIEVE, IT WAS
25 AUTHORIZED FOR HER TO CONTINUE ON WITH HER EDUCATION,
26 PERHAPS A MASTER'S PROGRAM.

1 Q. RIGHT, AND THE COMPANY PAID FOR THAT; CORRECT?

2 A. RIGHT. AND, IN FACT, THE COMPANY, AND AGAIN IN
3 THEIR DESCRIPTION OF IT, UP TO A CERTAIN POINT, THAT THE
4 BENEFITS WERE QUITE GOOD IN THAT REGARD AND THAT THERE WAS
5 AN EMPHASIS ON, AS YOU SAY, EMPOWERMENT.

6 Q. AND DECISION MAKING AT THE LOWEST POSSIBLE LEVEL;
7 CORRECT? DID ANYONE TELL YOU THAT THAT WAS PART OF THIS
8 EMPOWERMENTS PROGRAM?

9 A. I DON'T RECALL THAT SPECIFIC THING.

10 Q. OR THEIR QUALITY TRAINING THAT STEVEN HUNZIKER
11 HIMSELF TAUGHT; DO YOU HAVE ANY IDEA ABOUT --

12 A. DIDN'T GO INTO THAT WITH HIM.

13 Q. DID YOU TALK AT ALL ABOUT THE OPEN DOOR POLICY
14 AND THE FACT THAT RIGHT UP TO THE PRESIDENT OF THE COMPANY,
15 OR CEO OF THE COMPANY, PEOPLE COULD GO RIGHT INTO THEIR
16 OFFICE AND COMPLAIN?

17 A. YEAH, AND AGAIN THIS IS THEIR DESCRIPTION OF IT,
18 THAT WHAT HAD BEEN APPARENTLY AN OPEN DOOR POLICY SHIFTED
19 AFTER THAT AS FAR AS THEY WERE CONCERNED, THEY PERSONALLY,
20 AND THAT THEY WERE IN THEIR VIEW OSTRASIZED.

21 Q. DID THEY TELL YOU ANYTHING ABOUT ANY PROBLEMS
22 THEY MAY HAVE HAD IN THE WORKPLACE BEFORE THE ISSUE OF
23 HUBBARD BASED MATERIALS EVER CAME UP?

24 A. DIDN'T GO INTO THAT.

25 Q. DID THEY TELL YOU THEY HAD ANY PROBLEMS AT ALL
26 WITH ANYONE AT THE COMPANY?

1 A. NO, I DID READ OF THE PROBLEM REGARDING THE DATA
2 BASE THAT VIRGINIA HAD, AND STEVEN BECAME INVOLVED IN THAT.
3 I'M NOT CERTAIN OF THE TIME, AND I'M NOT CERTAIN WHETHER OR
4 NOT THAT CAME TO A HEAD AFTER THIS INCIDENT OR NOT.

5 Q. NOW, YOU'VE BEEN ASKED TO TESTIFY, I THINK YOU
6 TOLD ME IN YOUR LAST DEPOSITION, ABOUT THE FRAUDULENT
7 REPRESENTATIONS OF L. RON HUBBARD, THAT YOU WERE
8 KNOWLEDGEABLE ABOUT THAT, AND ALSO ABOUT THE MATERIALS THAT
9 YOU REVIEWED THAT WERE PRESENTED BY APPLIED SCHOLASTICS,
10 BEING SCIENTOLOGY MATERIALS; CORRECT?

11 A. RIGHT. DO YOU HAVE A TRANSCRIPT THERE?

12 Q. YEAH.

13 A. HAS THE OTHER SIDE BEEN PROVIDED WITH A
14 TRANSCRIPT?

15 Q. THE OTHER SIDE HAS NOT ORDERED THE TRANSCRIPT TO
16 MY KNOWLEDGE.

17 A. BUT I'LL GET THE TRANSCRIPT?

18 Q. YOU'LL HAVE TO COME IN AND READ THE TRANSCRIPT IN
19 THE REPORTER'S OFFICE.

20 A. YOU CAN'T FORWARD IT TO ME?

21 Q. SHE'LL GIVE YOU A LETTER, NOTIFYING YOU OF --

22 A. JUST LIKE THE SCIENTOLOGISTS.

23 Q. SO NOW YOU THINK THIS IS A SCIENTOLOGY TECHNIQUE?

24 A. NO, IT'S THE WAY THEY OPERATE.

25 Q. DO YOU KNOW HOW MANY OTHER LAWYERS OPERATE THAT
26 WAY?

1 A. LISTEN, I AM ABSOLUTELY CERTAIN THAT YOU ARE IN
2 TOUCH WITH SCIENTOLOGY LAWYERS, SCIENTOLOGY OPERATIVES,
3 WHOEVER. SOMEBODY IS FEEDING YOU SO THAT YOU CAN ASK THESE
4 QUESTIONS AND KEEP YOU BRIEFED.

5 Q. YOU THINK I HAVE EVER TALKED TO A SCIENTOLOGY
6 OPERATIVE IN MY LIFE? THAT'S WHAT YOU'RE TELLING ME, THAT I
7 HAVE TALKED TO A SCIENTOLOGY OPERATIVE?

8 A. OR LAWYER.

9 Q. OR I HAVE TALKED TO A LAWYER FOR THE CHURCH OF
10 SCIENTOLOGY?

11 A. SOMEBODY.

12 Q. YOU'RE POSITIVE OF THAT; RIGHT?

13 A. YEAH.

14 Q. OKAY, OKAY, THAT'S GREAT. OKAY, THAT THREW ME
15 FOR A MINUTE.

16 A. OR IT COULD BE COMING THROUGH THESE GUYS.
17 (INDICATING)

18 Q. OH, THROUGH MARIE CAWLEY?

19 A. I DON'T KNOW. IT'S FUNNELED TO YOU. WHY WOULD
20 YOU GET INTO MY CHURCH?

21 Q. OTHER THAN THE FACT, THIS IS A RELIGIOUS
22 DISCRIMINATION CASE AND I'M ENTITLED TO KNOW ANYTHING
23 THAT --

24 A. GO BACK TO THE LAST DEPO. YOU'LL KNOW.

25 Q. OKAY, YOU'RE A RATHER FAMOUS PERSON IN THE WORLD.
26 IT'S NOT HARD TO FIND MATERIAL ON YOU, MR. ARMSTRONG. ALL

1 YOU HAVE TO DO IS RUN A SEARCH THROUGH THE NEWSPAPERS TO
2 FIND A LOT ABOUT YOU. SO I WOULDN'T MAKE ASSUMPTIONS ABOUT
3 ANYTHING.

4 A. I DO ABOUT THE CHURCH BUSINESS.

5 Q. THAT'S FINE.

6 A. THE PRESS HASN'T PICKED UP ON IT YET.

7 Q. IN ANY EVENT, LET ME ASK YOU -- AS A MATTER OF
8 FACT, LET ME GO BACK NOW. THERE ARE TWO THINGS THAT YOU
9 HAVE BEEN ASKED TO TESTIFY ABOUT.

10 ONE IS THE DECEPTIVE PRACTICES OF THE CHURCH OF
11 SCIENTOLOGY INCLUDING FAIR GAME, CORRECT, AS THEY APPLIED TO
12 YOU?

13 A. OKAY.

14 Q. IS THAT CORRECT?

15 A. IN PART, YES.

16 Q. I WANT TO SUMMARIZE WHAT YOUR TESTIMONY IS.

17 A. ALL RIGHT.

18 Q. IS THAT CORRECT?

19 A. IN PART.

20 Q. WHAT'S THE OTHER PART OF THAT QUESTION? LET ME
21 GO BACK. ONE IS THAT YOU'RE GOING TO TESTIFY ABOUT YOUR
22 KNOWLEDGE, PERSONAL KNOWLEDGE OF THE CHURCH OF SCIENTOLOGY.
23 LET'S DO THAT AS A BROAD CATEGORY. CORRECT?

24 A. RIGHT.

25 Q. OKAY. AND THEN THE SECOND PART OF THAT IS THAT
26 YOU'VE BEEN ASKED TO TESTIFY ABOUT THE MATERIALS YOU'VE

1 REVIEWED THAT WERE GIVEN BY APPLIED SCHOLASTICS, AND
2 SPECIFICALLY TO TESTIFY THAT THOSE MATERIALS ARE, IN FACT,
3 MATERIALS USED IN THE CHURCH OF SCIENTOLOGY; RIGHT?

4 A. RIGHT.

5 Q. IS THERE ANYTHING ELSE AS A BROAD CATEGORY THAT
6 YOU'VE BEEN ASKED TO TESTIFY ABOUT?

7 A. I THINK THAT BROAD CATEGORY OF CHURCH OF
8 SCIENTOLOGY INCLUDES WITHIN IT THE PROCESS OF INDOCTRINATION
9 AND WHAT CAN BE EXPECTED WHEN ONE IS BROUGHT INTO THE
10 ORGANIZATION OF SCIENTOLOGY.

11 Q. SO LET'S GET THE SUB-PARTS OF THAT FIRST BIG
12 QUESTION. ONE IS THE PROCESS OF INDOCTRINATION AND WHAT IS
13 EXPECTED WHEN ONE IS BROUGHT INTO THE CHURCH?

14 A. WHAT ONE CAN EXPECT.

15 Q. RIGHT. AND WHAT ELSE THEN ARE YOU PREPARED TO
16 TESTIFY ABOUT WITH RESPECT TO THE CHURCH OF SCIENTOLOGY'S
17 PRACTICES?

18 A. THAT INCLUDES, AS A BROAD CATEGORY, WHAT HAPPENS
19 ONCE BROUGHT IN, AND ONE BECOMES A CRITIC.

20 Q. SO LET'S START WITH, YOU'RE GOING TO TESTIFY -- I
21 TAKE IT YOU'RE NOT PLANNING TO TESTIFY ABOUT EVERYTHING YOU
22 KNOW ABOUT THE CHURCH OF SCIENTOLOGY; RIGHT? YOUR
23 ASSIGNMENT IS MORE NARROW THAN THAT?

24 A. YES.

25 Q. OKAY, THEN SPECIFICALLY WHAT IS YOUR NARROW
26 ASSIGNMENT WITH RESPECT TO THE CHURCH OF SCIENTOLOGY

1 POLICIES? (1) I TAKE IT IS THE PROCESS OF INDOCTRINATION
2 AND RECRUITING; IS THAT THE SAME THING?

3 A. YEAH.

4 Q. NO. 2 IS WHAT HAPPENS TO CRITICS?

5 A. RIGHT.

6 Q. WHICH INCLUDES THE FAIR GAME?

7 A. RIGHT.

8 Q. AND THEN IS THERE ANOTHER PART?

9 A. AND THEN THE LINK-UP OF THE DEMONSTRATION THAT
10 THIS IS INDEED SCIENTOLOGY.

11 Q. WELL, NO, I'M USING THAT AS A SECOND CATEGORY.

12 A. OKAY, SO THAT'S GENERALLY IT. YOU PROBABLY KNOW
13 NOW, AFTER JUST ABOUT TWO DAYS OF MY DEPOSITION, WHERE I'M
14 COMING FROM, WHAT I KNOW, WHAT MY HISTORY IS.

15 Q. I'M JUST TRYING TO SUMMARIZE HERE SO WE HAVE IT
16 VERY CLEAR WHAT YOU'RE TESTIFYING TO.

17 YOU'RE TESTIFYING ABOUT RECRUITING POLICIES AND
18 WHAT HAPPENS TO YOU IF YOU ARE A CRITIC?

19 A. RECRUITING AND INDOCTRINATION.

20 Q. AND THEN NO. 2, WHAT HAPPENS TO YOU IF YOU'RE A
21 CRITIC, INCLUDING THE FAIR GAME DOCTRINE AS YOU KNOW HOW
22 IT'S BEEN APPLIED TO YOU, AND YOUR CONCLUSION THAT IF WHAT
23 STEVEN HUNZIKER TOLD YOU IS TRUE, IT IS CONSISTENT WITH THE
24 WAY THE CHURCH HANDLES CRITICS; CORRECT?

25 A. RIGHT.

26 Q. IS THERE ANYTHING ELSE REGARDING THE POLICIES OF

1 THE CHURCH OF SCIENTOLOGY THAT YOU'RE GOING TO TESTIFY
2 ABOUT?

3 A. THAT WHAT THEY CALL THE POLICIES, THEY USE THE
4 TERM SCRIPTURES.

5 Q. YES, NOW THAT'S DOWN TO THE CHURCH MATERIALS.
6 OKAY, LET'S DO THAT. WE'LL CALL THIS THE THIRD PART.

7 A. THAT THE SCRIPTURES --

8 Q. SLOW DOWN, LET ME SUMMARIZE.

9 THIS IS YOUR ASSIGNMENT, THE THIRD PART BEING
10 THAT YOU WERE TO READ THE MATERIALS AND BE PREPARED TO
11 TESTIFY THAT THIS WAS SCRIPTURE AS FAR AS THE CHURCH OF
12 SCIENTOLOGY IS CONCERNED; RIGHT?

13 A. THAT SCIENTOLOGY CALLS IT SCRIPTURE.

14 Q. RIGHT.

15 A. RIGHT, THIS IS PART OF THE MATERIAL WHICH
16 SCIENTOLOGY CALLS RELIGIOUS SCRIPTURES.

17 Q. OKAY. IS THERE ANYTHING ELSE WHATSOEVER THAT YOU
18 HAVE BEEN ASKED TO TESTIFY ABOUT OR PLAN TO TESTIFY ABOUT AT
19 TRIAL?

20 A. I BELIEVE THAT MY -- SOMETHING ABOUT MY HISTORY
21 WILL BE REQUIRED OF ME, PROBABLY SOMETHING ABOUT MY
22 LITIGATION HISTORY, INCLUDING THE BRECKENRIDGE OPINION,
23 WHICH I GAVE YOU. ALSO, PROBABLY MY PRESENT INVOLVEMENT
24 WITH THE ORGANIZATION IN LITIGATION, IT'LL BE REQUIRED THAT
25 I TESTIFY ABOUT.

26 Q. ANYTHING ELSE AT ALL?

1 A. I THINK THAT'S IT.

2 Q. AND YOU HAVE NOW GIVEN US THE SUM TOTAL OF ALL
3 THE DOCUMENTS THAT YOU PLAN TO RELY ON IN THAT TESTIMONY;
4 CORRECT? WE'VE BEEN THROUGH THAT.

5 A. YES.

6 Q. OKAY. CAN YOU TELL ME -- CAN YOU TELL ME WHO
7 MICHAEL WALTON IS?

8 A. I'M SORRY?

9 Q. DO YOU KNOW A MICHAEL WALTON?

10 A. YES.

11 Q. WHO IS HE?

12 A. HE'S A FRIEND OF MINE.

13 Q. HAS HE HAD ANY RELATIONSHIP AT ALL TO THE GERALD
14 ARMSTRONG CORPORATION?

15 A. OH, YES, HE HAS.

16 Q. WHAT'S HIS CONNECTION?

17 A. HE -- HE'S A DIRECTOR.

18 Q. ARE THERE ANY OTHER DIRECTORS THAT YOU RECALL NOW
19 THAT YOU DIDN'T RECALL THE OTHER DAY?

20 A. DID I NOT RECALL THEM? I JUST DIDN'T GIVE THEM.

21 Q. OKAY. WHO ARE THE OTHER DIRECTORS?

22 A. MICHAEL DOUGLAS.

23 Q. ANY OTHERS?

24 A. THAT'S IT.

25 Q. OKAY.

26 A. AND BESIDES MYSELF; RIGHT?

1 Q. RIGHT.

2 A. OKAY.

3 Q. NOW, WHAT IS THE CORPORATE DOMICILE, THE ADDRESS
4 OF THE CORPORATION?

5 A. 707 FAWN DRIVE.

6 Q. AND IS THAT A RESIDENCE?

7 A. YEAH.

8 Q. IS IT YOUR RESIDENCE?

9 A. NO.

10 Q. WHOSE RESIDENCE IS IT?

11 A. MICHAEL WALTON.

12 Q. DID YOU ONCE RESIDE WITH MICHAEL WALTON?

13 A. YES.

14 Q. FOR HOW LONG?

15 A. I GUESS I CALLED THAT MY RESIDENCE FROM MAY 1990
16 THROUGH APPROXIMATELY JULY 1991.

17 Q. AND MICHAEL DOUGLAS, HE IS ALSO AN OFFICER AND
18 DIRECTOR?

19 A. YEAH, DIRECTOR.

20 Q. ARE THERE ANY OTHER OFFICERS OR DIRECTORS?

21 A. NO.

22 Q. HAVE YOU EVER LIVED WITH MICHAEL DOUGLAS?

23 A. WELL, WE OWNED A HOUSE TOGETHER, AND HE AND HIS
24 WIFE HAD THE UPSTAIRS, AND I HAD THE DOWNSTAIRS DURING A
25 PERIOD, 1987-'88 PERIOD.

26 Q. HAVE YOU EVER BEEN ASKED AS PART OF THE GERALD

1 ARMSTRONG CORPORATION TO GIVE COUNSELING OR ADVICE IN ANY
2 WAY ABOUT THE CHURCH OF SCIENTOLOGY OR YOUR EXPERIENCES
3 THERE?

4 A. NO. NO. NO, I DO THAT COMPLETELY AS AN
5 INDIVIDUAL. THE GERALD ARMSTRONG CORPORATION HAS NO
6 CONNECTION TO SCIENTOLOGY LITIGATION.

7 Q. AND SO NO ONE FROM THE GERALD ARMSTRONG
8 CORPORATION -- YOU SAID IT GAVE PHILOSOPHICAL --

9 A. PHILOSOPHICAL SERVICES.

10 Q. AND SO THOSE SERVICES HAVE NEVER INCLUDED ANY
11 ADVICE OR DISCUSSIONS ABOUT THE CHURCH OF SCIENTOLOGY OR
12 YOUR EXPERIENCES?

13 A. WELL, DURING THE COURSE, SOMETHING MAY HAVE COME
14 UP. BUT ANYTHING I DO LIKE THIS, I AM DOING AS GERALD
15 ARMSTRONG, INDIVIDUAL, NOT AS AN EMPLOYEE OR DIRECTOR OF THE
16 CORPORATION. THE CORPORATION DOESN'T --

17 Q. SO THE MONEY THAT YOU RECEIVE FOR TESTIFYING HERE
18 TODAY WILL GO TO YOU PERSONALLY, NOT THE GERALD ARMSTRONG
19 CORPORATION?

20 A. RIGHT, EVEN THOUGH I -- WELL, YEAH, IT GOES TO
21 ME.

22 Q. IT GOES TO YOU PERSONALLY?

23 A. RIGHT.

24 Q. NOW, TO GET BACK TO MY QUESTION.

25 HAS ANYONE, INCLUDING YOURSELF, AT THE GERALD
26 ARMSTRONG CORPORATION EVER GIVEN ANY KIND OF ADVICE OR

1 COUNSEL RELATING TO THE CHURCH OF SCIENTOLOGY AT ALL TO
2 ANYONE?

3 A. NO.

4 Q. SO WHEN YOU SAY YOU DO YOUR COUNSELING AND ADVICE
5 ABOUT THE CHURCH OF SCIENTOLOGY ON YOUR OWN, AS AN
6 INDIVIDUAL, YOU MEAN THAT ANY MONIES THAT YOU HAVE BEEN PAID
7 OR ANY EXPENSES THAT YOU'VE CHARGED HAVE GONE DIRECTLY TO
8 YOU AS A PERSON?

9 A. WELL, THIS IS THE ONLY TIME, AS I STATED, WHERE I
10 HAVE EVER TESTIFIED AS AN EXPERT. I HAVE MADE CLAIMS, BUT
11 THE SCIENTOLOGY ORGANIZATION HAS FAILED TO COME THROUGH.

12 Q. WHAT DO YOU MEAN YOU'VE MADE CLAIMS, BUT THEY
13 FAILED TO COME THROUGH?

14 A. WELL, SINCE I'VE BEEN DESIGNATED AN EXPERT BY
15 JUDGE BRECKENRIDGE, I HAVE ON OCCASION ASKED THEM, WHEN
16 THEY'VE BROUGHT ME INTO DEPOSITION, BUT THEY SO FAR HAVE
17 REFUSED TO PAY ME EXPERT WITNESS FEES.

18 THIS CAME AS SOMETHING OF A GODSEND, AND I'M MOST
19 APPRECIATIVE.

20 Q. WHAT? BEING PAID 250 AN HOUR?

21 A. RIGHT.

22 Q. YOU NEEDED THE MONEY?

23 A. IT WAS VERY TIMELY.

24 Q. YOU NEEDED THE MONEY, I TAKE IT? I MEAN --

25 A. IT CAME AS A GODSEND. IT WAS UNSOLICITED. WHEN
26 I RECEIVED THAT CHECK IN THE MAIL, YOU VERY MUCH SURPRISED

1 ME. BUT I WAS VERY PLEASED, AND I'VE COME TO REALIZE THE
2 PART WHICH I PLAY IN THIS, AND I ALSO UNDERSTAND THE
3 ORGANIZATION I'M UP AGAINST AND THE RISKS THAT I RUN.

4 Q. AND YOU VOLUNTARILY CHOOSE TO RUN THOSE RISKS, I
5 TAKE IT?

6 A. FOR THE TIME BEING I DO.

7 Q. OKAY, GOING BACK NOW TO THE THREE THINGS THAT YOU
8 SAY YOU'RE GOING TO TESTIFY ABOUT.

9 HAVE YOU NOW GIVEN ME THE SUM TOTAL OF YOUR
10 OPINIONS AS TO THOSE THREE TOPICS?

11 A. I THINK THAT WITHIN EVERYTHING I'VE TESTIFIED TO
12 DURING THESE TWO DAYS, ARE MY OPINIONS.

13 Q. AND IT IS YOUR OPINION THAT APPLIED SCHOLASTICS
14 USES THEIR TRAINING IN CORPORATIONS AS A RECRUITING TOOL FOR
15 THE CHURCH OF SCIENTOLOGY? IS THAT YOUR OPINION?

16 A. IN PART. IT ALSO IS A VEHICLE OF EXTENDING
17 SCIENTOLOGY CONTROL INTO OTHER AREAS OF LIFE.

18 Q. BUT IS IT YOUR OPINION THAT THEY'RE USING THIS AS
19 A RECRUITING TOOL?

20 A. INDOCTRINATION, YES.

21 Q. DO YOU HAVE ANY IDEA WHATSOEVER HOW MANY STUDENTS
22 OF APPLIED SCHOLASTICS COURSES HAVE EVER CHOSEN TO GO TO
23 ADDITIONAL COURSES OR TO JOIN THE CHURCH OF SCIENTOLOGY?

24 A. NO INFORMATION.

25 Q. DO YOU HAVE ANY IDEA WHETHER ANY STUDENTS WHO
26 HAVE EVER TAKEN THE TIME MANAGEMENT COURSE OFFERED BY SMITH

1 AND ASSOCIATES, WHETHER ANY OF THOSE STUDENTS HAVE EVER
2 TURNED TO THE CHURCH OF SCIENTOLOGY?

3 A. I HAVE NO INFORMATION.

4 Q. DO YOU HAVE ANY IDEA WHETHER ANYBODY HAS EVER
5 TAKEN FURTHER COURSES, AFTER TAKING THE TIME MANAGEMENT
6 COURSE?

7 A. NO INFORMATION.

8 Q. SO YOU'VE NOW GIVEN ME THE SUM TOTAL OF YOUR
9 TESTIMONY AND THE SOURCES YOU'VE CITED THAT YOU'VE GIVEN TO
10 US WITH RESPECT TO THESE THREE TOPICS?

11 A. I'VE DONE THAT, AND I'VE PROVIDED YOU A MASS OF
12 DOCUMENTS, SOME OF WHICH WE HAVE NOT HAD THE TIME TO GO OVER
13 YET.

14 Q. OKAY. NOW, YOU MENTIONED EARLIER THAT YOU
15 BELIEVE THERE'S SOME KIND OF TEMPORARY RESTRAINING ORDER
16 THAT MAY KEEP YOU FROM DOING SOMETHING WITH RESPECT TO THE
17 CHURCH OF SCIENTOLOGY; IS THAT RIGHT?

18 A. I'M NOT CERTAIN.

19 Q. DO YOU HAVE ANY OPINION ABOUT WHETHER THAT
20 TEMPORARY RESTRAINING ORDER WOULD RESTRAIN YOU FROM
21 TESTIFYING IN THIS CASE?

22 A. I -- I DOUBT IT.

23 Q. WHY DO YOU SAY THAT, IF YOU DON'T KNOW WHAT THE
24 TEMPORARY RESTRAINING ORDER SAYS?

25 A. WELL, JUST BECAUSE I DOUBT THAT I COULD BE
26 RESTRAINED FROM TESTIFYING. I KNOW THAT THEY MAY ATTEMPT TO

1 DO THAT, BUT I THINK THAT NO MATTER HOW BIG SCIENTOLOGY IS,
2 I DON'T THINK THAT IT WILL WEAR DOWN THE U.S. JUSTICE
3 SYSTEM.

4 Q. WHAT DO YOU MEAN BY THAT?

5 A. WELL, I THINK THAT NO MATTER WHAT SCIENTOLOGY
6 DOES, IF I WERE ORDERED TO TESTIFY, I THINK THAT THAT
7 WOULD --

8 Q. ORDERED BY WHOM TO TESTIFY?

9 A. ORDERED BY SUBPENA, ORDERED BY A COURT.

10 Q. BUT YOU HAVEN'T BEEN SUBPENAED TO TESTIFY HERE
11 TODAY; YOU KNOW THAT; CORRECT? YOU'VE RECEIVED NO SUBPENA?

12 A. FOR TODAY?

13 Q. RIGHT, AND FOR LAST TIME WHEN YOU WERE DEPOSED.

14 A. I DIDN'T -- I MEAN, YOU ISSUED A NOTICE OF
15 SUBPENA -- OR NOTICE OF DEPOSITION; RIGHT?

16 Q. RIGHT. YOU'VE NEVER RECEIVED A SUBPENA TO
17 TESTIFY?

18 A. I HAVE A SUBPENA FOR TODAY.

19 Q. WHAT DOES THE SUBPENA LOOK LIKE? WHO ISSUED
20 THAT?

21 A. JOHN ELSTEAD.

22 Q. I'VE SEEN NO SUBPENA.

23 A. I DON'T KNOW. MAYBE YOU DIDN'T GET A COPY.

24 Q. WHEN DID YOU TALK TO JOHN ELSTEAD ABOUT A
25 SUBPENA?

26 A. I THINK HE JUST FILLED IT OUT THIS MORNING.

1 Q. DID YOU ASK HIM FOR A SUBPENA?

2 A. I BELIEVE THAT I -- THAT I TOLD HIM THAT THERE
3 MAY BE A TRO ISSUED WHEN I FIRST LEARNED OF IT.

4 Q. WHEN WAS THAT?

5 A. LIKE I TOLD YOU, THE ONLY THING I'VE SEEN, WHICH
6 ISN'T OFFICIAL, IS A STATEMENT BY SCIENTOLOGY'S LAWYER.

7 Q. WHEN DID YOU FIRST TELL MR. ELSTEAD YOU THOUGHT
8 THERE MAY BE A TRO ISSUED?

9 A. I THINK MAYBE WHEN I DELIVERED THE DOCUMENTS TO
10 HIM.

11 Q. WHEN WAS THAT? ON FRIDAY?

12 A. SUNDAY.

13 Q. ON SUNDAY?

14 A. YEAH.

15 Q. SO YOU ASKED HIM TO GIVE YOU A SUBPENA?

16 A. I JUST TOLD HIM THAT THERE'S A -- THERE MAY BE,
17 ALTHOUGH I'VE NOT SEEN IT, A TRO.

18 AND HE SAID, "YOU HAVEN'T SEEN IT?"

19 I SAID, "NO."

20 Q. HAVE YOU TOLD MR. ELSTEAD IF THE TRO IS IN EFFECT
21 AND PRECLUDES YOU FROM TESTIFYING, YOU DON'T WANT TO BE USED
22 AS AN EXPERT IN THIS CASE?

23 A. I HAVE NOT CONSIDERED THAT AS AN OPTION AND I
24 DON'T THINK THAT THAT COULD HAPPEN.

25 Q. WHY IS THAT?

26 A. BECAUSE I DON'T THINK ANY COURT IS GOING TO HONOR

1 THAT.

2 Q. OKAY, I HAVE NEVER SEEN IN MY LEGAL CAREER AN
3 EXPERT WITNESS SUBPENAED IN ANY CASE IN MY LIFE, SO I'M
4 HAVING GREAT DIFFICULTY WITH THIS. IF YOU'RE HERE
5 VOLUNTARILY AS AN EXPERT WITNESS, THEN WE HAVE AN OBLIGATION
6 TO PAY YOU WITNESS FEES AND TREAT YOU LIKE AN EXPERT. IF
7 YOU'RE HERE UNDER SUBPENA, THAT'S A VERY DIFFERENT THING.

8 A. I'M HERE AS AN EXPERT.

9 Q. ARE YOU HERE VOLUNTARILY AS AN EXPERT WITNESS?

10 A. I'M HERE VOLUNTARILY AS AN EXPERT WITNESS. I'VE
11 ALSO BEEN SUBPENAED.

12 Q. I'D LIKE A COPY OF THE SUBPENA, PLEASE.

13 A. OKAY, I'LL ASK MR. ELSTEAD.

14 Q. WELL, LET'S GET IT.

15 (THE WITNESS LEFT THE ROOM BRIEFLY AND THEN
16 RETURNED)

17 THE WITNESS: HE DOESN'T HAVE IT RIGHT NOW.

18 BY MS. REMMERS: Q. DO YOU HAVE IT IN YOUR
19 POSSESSION?

20 A. I'M NOT SURE.

21 Q. I MEAN IF YOU WERE GIVEN THE SUBPENA, I IMAGINE
22 YOU WOULD WANT TO HAVE IT, WOULDN'T YOU?

23 A. I THINK IT MAY BE DOWN IN MY CAR.

24 Q. WELL, I'D LIKE YOU TO GO GET IT.

25 A. OKAY.

26 (7-MINUTE RECESS)

1 THE WITNESS: WE'RE JUST GOING TO FIVE; OKAY. I
2 HAVE AN APPOINTMENT AFTER THAT.

3 BY MS. REMMERS: Q. CAN I SEE THE SUBPENA,
4 PLEASE?

5 A. I DIDN'T BRING IT BACK WITH ME.

6 Q. WHY IS THAT?

7 A. IN CONSULTATION WITH MR. ELSTEAD, I'VE DECIDED
8 THAT IT'S NOT RELEVANT TO MY EXPERT TESTIMONY. I WAS NOT
9 REQUIRED BY YOUR NOTICE TO PRODUCE IT. IT'S NOT ANYTHING
10 UPON WHICH I WILL RELY AT TRIAL TO SHOW MY EXPERTISE AND
11 KNOWLEDGE OF THE ORGANIZATION OR ANY OF MY OPINIONS.

12 Q. OKAY.

13 A. SO I WILL AT THIS POINT DECLINE TO PRODUCE THE
14 SUBPENA.

15 Q. OKAY. WHAT ELSE DID YOU TALK ABOUT WITH MR.
16 ELSTEAD? I NOTICED RIGHT AFTER YOU WENT TO YOUR CAR, MR.
17 ELSTEAD FOLLOWED YOU OUT, AND YOU HAD A CONFERENCE BEHIND
18 CLOSED DOORS WITH MR. ELSTEAD. I'D LIKE YOU TO TELL ME
19 EVERY SINGLE WORD THAT MR. ELSTEAD OR THAT HIS CO-COUNSEL
20 HERE SAID TO YOU.

21 A. IF MR. ELSTEAD FOLLOWED ME OUT, THEN AGAIN IT WAS
22 NOT CONNECTED TO ME.

23 Q. YOU DID NOT SEE HIM IN THE CAR OR DOWNSTAIRS?

24 A. NO.

25 Q. YOU WERE JUST BEHIND CLOSED DOORS WITH HIM.

26 DID YOU HAVE THE SUBPENA IN YOUR HAND WHEN YOU

1 CAME UP TO SEE MR. ELSTEAD?

2 A. YES.

3 Q. YOU RETRIEVED IT FROM YOUR CAR?

4 A. RIGHT.

5 Q. AND WHAT DID MR. ELSTEAD TELL YOU THAT MADE YOU
6 CONVINCED YOU DO NOT NEED TO PRODUCE IT HERE? FIRST OF ALL,
7 HE HAS TO SERVE THE SUBPENA ON US, TOO. HE HAS TO SHOW US A
8 COPY, TOO.

9 A. HE PROBABLY WILL. BUT IN GOING OVER IT WITH
10 HIM --

11 Q. WHAT DID HE SAY?

12 A. FIRST OF ALL -- I'M ABOUT TO TELL YOU. WITH
13 REGARDS TO THE ARMSTRONG LITIGATION, THAT I HAVE A RIGHT TO
14 PRIVACY IN THAT LITIGATION, AND THAT YOUR QUESTIONS PROBING
15 INTO THE ARMSTRONG LITIGATION ARE IMPROPER.

16 SECONDLY, WITH REGARDS TO --

17 Q. HE IS WRONG, SIR. I HAVE A RIGHT TO KNOW ABOUT
18 YOUR BIASES AND PREJUDICE, IF YOU'RE TESTIFYING AS AN EXPERT
19 WITNESS IN THIS CASE . . .

20 A. THAT'S FINE.

21 Q. . . . PERIOD, INCLUDING ALL LITIGATION IN WHICH
22 YOU ARE AN ADVERSARY TO THE CHURCH OF SCIENTOLOGY.

23 WHAT ELSE DID HE TELL YOU?

24 A. AS I TOLD YOU JUST A MOMENT AGO, IN MY DISCUSSION
25 WITH HIM, AND I ARRIVED AT THAT CONCLUSION AS WELL, THAT I
26 HAVE PRODUCED THOSE DOCUMENTS UPON WHICH I WILL RELY. THOSE

1 ARE THE THINGS WHICH YOU REQUESTED. YOU DID NOT REQUEST ANY
2 OTHER DOCUMENTS. YOU HAVE A RIGHT TO NOW REQUEST IT. I'M
3 CERTAIN THAT YOU WILL IN DUE COURSE RECEIVE YOUR OWN COPY.

4 Q. MR. ARMSTRONG --

5 A. BUT RIGHT NOW I DECLINE TO PRODUCE IT. WE ONLY
6 HAVE 15 MINUTES LEFT IN THE DEPOSITION, AND I WOULD REQUEST
7 THAT WE CARRY ON. AND IF THERE'S ANYTHING SUBSTANTIVE THAT
8 YOU WANTED TO COVER IN THESE 15 MINUTES, I'M QUITE HAPPY TO
9 PROCEED.

10 Q. MR. ARMSTRONG, I WANT YOU TO TELL ME PRECISELY
11 WHAT MR. ELSTEAD SAID TO YOU, IN HIS EXACT WORDS? IT WAS
12 JUST FIVE MINUTES AGO.

13 A. I BELIEVE THAT I HAVE SAID AS PRECISELY AS I CAN.

14 Q. WHAT WORDS DID HE UTTER TO YOU?

15 A. IF YOU COULD REPEAT BACK MY STATEMENT WITH
16 REGARDS TO --

17 Q. YOU SAID "IN MY DISCUSSION WITH HIM." YOU DID
18 NOT DESCRIBE WHAT HE SAID TO YOU.

19 I WANT TO HEAR WHAT HE SAID TO YOU.

20 A. HE SAID, "YOU'VE GOT A RIGHT TO PRIVACY. SHE
21 CAN'T GO INQUIRING INTO -- YOU DON'T HAVE TO ANSWER
22 QUESTIONS WITH REGARDS TO OTHER LITIGATION."

23 Q. WHAT ELSE DID HE SAY?

24 A. I THINK EVERYTHING THAT I'VE TOLD YOU. I CAN'T
25 THINK OF ANY MORE DETAILS.

26 Q. AND HE TOLD YOU THAT I HAD NO RIGHT TO SEE THE

1 SUBPENA THAT YOU WERE GIVEN THIS MORNING, YOU SAID, BY MR.
2 ELSTEAD; CORRECT?

3 A. RIGHT, THAT THIS WAS NOT WHAT THE DEPOSITION WAS
4 ABOUT, THAT I WAS NOT REQUIRED, AND I COMPLETELY AGREE WITH
5 HIM. THAT'S NOT WHAT THIS DEPOSITION IS ABOUT.

6 I AM HERE PURSUANT TO AGREEMENT WITH YOU, TO ACT
7 AS AN EXPERT IN THIS CASE, AND I'M PROCEEDING ON THAT BASIS.

8 Q. AND WOULD YOU HAVE BEEN HERE -- WELL, YOU WERE
9 HERE ABSENT A SUBPENA? YOU SHOWED UP FOR THE DEPOSITION
10 WITHOUT HAVING RECEIVED A SUBPENA?

11 A. RIGHT.

12 Q. AND YOU WOULD HAVE COME WHETHER MR. ELSTEAD GAVE
13 YOU A SUBPENA OR NOT?

14 A. I'M -- THAT DIDN'T ENTER INTO MY EVALUATION OF
15 WHETHER OR NOT TO -- TO SHOW UP. I FELT THAT I HAD
16 COMMITTED TO BEING HERE; SO I WOULD DO WHAT I COULD TO BE
17 HERE.

18 AND IT WASN'T MY CHOICE. I WANTED TO MAKE IT THE
19 18TH, BUT I DID WHAT I COULD TO ACCOMMODATE YOU. AND I
20 WORKED, PUT IN A GREAT NUMBER OF HOURS TO ASSEMBLE MY
21 MATERIALS.

22 Q. OKAY, HOW MANY HOURS HAVE YOU PUT IN SO FAR? YOU
23 HAD TOLD ME HOW MANY HOURS YOU PUT IN UP TO THE LAST
24 DEPOSITION.

25 HOW MANY HOURS HAVE YOU PUT IN?

26 A. ASIDE FROM DEPOSITIONS?

1 Q. NO, FROM THE LAST DAY OF DEPOSITION --

2 A. I WOULD SAY 20 HOURS.

3 Q. MR. ARMSTRONG, PLEASE LET ME FINISH MY QUESTION.

4 FROM THE LAST DEPOSITION UNTIL TODAY, HOW MANY
5 HOURS HAVE YOU PUT IN IN TOTAL ON THIS CASE, PREPARING FOR
6 YOUR TESTIMONY?

7 A. IN ADDITION TO THE TWO DEPOSITIONS --

8 Q. PUTTING ASIDE THE TWO DEPOSITIONS.

9 A. RIGHT.

10 Q. HOW MUCH TIME BETWEEN THE LAST DEPOSITION AND
11 TODAY HAVE YOU SPENT REVIEWING MATERIALS, GATHERING
12 MATERIALS AND PREPARING FOR YOUR TESTIMONY?

13 A. I BELIEVE IT'S AROUND 20 HOURS.

14 Q. SO HOW MANY HOURS THEN, JUST TO REFRESH MY
15 MEMORY, DID YOU PUT IN BEFORE THE LAST DEPOSITION?

16 A. I THINK IT WAS SEVEN HOURS.

17 Q. OKAY, SO 27 HOURS TOTAL YOU HAVE SPENT PREPARING;
18 CORRECT?

19 A. NO, NO, NO.

20 Q. AND THEN, IN ADDITION, TWO OTHER DAYS?

21 A. SO I HAVE TWO DEPOSITIONS.

22 Q. PUTTING ASIDE THE TWO DAYS YOU'VE SPENT IN
23 DEPOSITION.

24 A. OKAY, THEN NOT INCLUDING DEPOSITIONS?

25 Q. YES.

26 A. APPROXIMATELY 20 HOURS ALTOGETHER.

1 Q. ALTOGETHER, OKAY.

2 AND SEVEN OF THOSE HOURS WERE BEFORE THE LAST
3 DEPOSITION?

4 A. RIGHT.

5 Q. NOW, HAVE YOU DETERMINED NOW HOW MUCH YOU'RE
6 CHARGING MR. ELSTEAD OR THE RUMMONDS OFFICE FOR YOUR
7 TESTIMONY HERE?

8 A. I HAVE NOT COME TO AN AGREEMENT WITH THEM. THE
9 ONLY FIGURE THAT HAS ARISEN IS 250 AN HOUR.

10 Q. SO HAVE THEY AGREED TO PAY YOU \$250 FOR EVERY
11 HOUR YOU HAVE SPENT PREPARING?

12 A. I'M NOT CERTAIN. AGAIN, I HAVE NOT GONE OVER
13 THAT WITH THEM. I'M -- I'M NOT SURE QUITE HOW IT'S GOING TO
14 BE WORKED OUT.

15 Q. WHEN YOU SAID THE ONLY FIGURE THAT'S COME UP IS
16 250, WHAT DO YOU MEAN BY THAT?

17 A. THAT'S ALL. THAT'S WHAT I MEAN. THAT'S THE ONLY
18 FIGURE.

19 Q. HAVE YOU TOLD THEM THAT YOU ARE CHARGING THEM 250
20 AN HOUR JUST AS YOU'RE CHARGING US?

21 A. WELL, THEY WERE THE ONES WHO PUT DOWN THE 250 AN
22 HOUR. I HAVE NOT DONE ANYTHING ABOUT THAT.

23 Q. I UNDERSTAND THAT.

24 A. I HAVE -- YOU KNOW, I HAVE SIMPLY NOT DISCUSSED
25 THAT WITH THEM.

26 Q. WHEN DO YOU INTEND TO DISCUSS WITH THEM HOW MUCH

1 YOU SHOULD BE PAID FOR THE MANY, MANY HOURS YOU'VE NOW PUT
2 IN PREPARING FOR TESTIMONY?

3 A. I THINK THAT IN THE NEAR FUTURE, IT WOULD BE
4 TIMELY TO DO THAT. I SUPPOSE THAT AS WE PROCEED TOWARD
5 TRIAL, OUR FINANCIAL RELATIONSHIP WILL HAVE TO BE IRONED
6 OUT.

7 Q. DO YOU ANTICIPATE THAT YOU WILL BE CHARGING 250
8 AN HOUR FOR YOUR TIME TO PREPARE?

9 A. I THINK THAT IF IT'S AT ALL POSSIBLE THAT THAT
10 WOULD BE FINE.

11 Q. IF IT'S AT ALL POSSIBLE THAT THEY COULD PAY THAT;
12 IS THAT WHAT YOU MEAN?

13 A. I THINK I WOULD CERTAINLY, IN THE WAY I WOULD
14 APPROACH IT, THERE WOULD BE AN UNDERSTANDING OF ABILITY TO
15 PAY. I RECOGNIZE THAT AS AN ASPECT. I RECOGNIZE THAT AS AN
16 ASPECT OF LIFE.

17 Q. SO WHAT YOU'RE SAYING IS, YOU WOULD EXPECT THEM
18 TO PAY 250 AN HOUR?

19 A. I HAVE NOT DISCUSSED THIS WITH THEM, NOR MY
20 EXPECTATIONS BEYOND WHAT I'VE STATED.

21 Q. SO WHEN YOU SAY AN ABILITY TO PAY, ARE YOU SAYING
22 IF THEY END UP WINNING THE TRIAL, THEN HAVE AN ABILITY TO
23 PAY FROM WINNINGS, YOU WOULD EXPECT 250 AN HOUR?

24 A. I HAVEN'T DISCUSSED THAT WITH THEM.

25 Q. IS THAT ONE POSSIBILITY?

26 A. IT CERTAINLY IS A POSSIBILITY, BUT I, YOU KNOW,

1 YOU HAVE -- YOU HAVE TOLD ME WHAT TO DO WITH REGARDS TO YOU.
2 AND I IMAGINE THE SAME APPLIES WITH REGARDS TO THEM; THAT
3 IS, SUBMIT AN INVOICE.

4 Q. THEY'VE ASKED YOU TO SUBMIT AN INVOICE?

5 A. NO, THEY HAVEN'T.

6 Q. SO IS IT A POSSIBILITY THAT IF THEY GO TO TRIAL
7 AND DON'T WIN ANY MONEY, THAT YOU WOULD NOT CHARGE THEM FOR
8 THE TIME YOU'VE SPENT PREPARING?

9 A. I'M NOT CERTAIN.

10 Q. BUT THAT'S A POSSIBILITY?

11 A. YOU KNOW, I'VE LOOKED AT THAT AS A POSSIBILITY.
12 I DON'T KNOW. I JUST HAVE NOT DISCUSSED IT. IT HASN'T --
13 THE SUBJECT CAME UP EARLY ON, WHEN I SAW \$250 AN HOUR.

14 MY ONE COMMENT WAS, "SOUNDS ADEQUATE."

15 AND YOU, AND I'M GRATEFUL, HAVE, YOU KNOW,
16 ACCEPTED YOUR SHARE.

17 MS. REMMERS: OKAY. I HAVE NO FURTHER QUESTIONS.

18 THE WITNESS: YOU DON'T WANT TO EXAMINE ME ON ANY
19 OF THE DOCUMENTS I BROUGHT TODAY?

20 MS. REMMERS: WELL, YOU'VE TOLD ME THIS IS THE
21 SUM TOTAL OF WHAT YOU'VE RELIED UPON. SO YOU'VE POINTED OUT
22 A NUMBER OF THINGS IN THOSE DOCUMENTS, AND I UNDERSTAND THAT
23 THIS IS WHAT YOUR SOURCES ARE FOR YOUR CONCLUSIONS.

24 AND I THINK YOU'VE TOLD ME ROUGHLY WHAT YOUR
25 CONCLUSIONS ARE. YOU'VE TOLD ME THE SUM TOTAL OF YOUR
26 CONCLUSIONS.

1 IF THERE ARE OTHER CONCLUSIONS THAT YOU HAVEN'T
2 GIVEN ME, THEN I THINK YOU BETTER TELL ME NOW.

3 THE WITNESS: NO, I THINK YOU'VE GOT IT.

4 MS. REMMERS: OKAY, THAT'S IT.

5 (THE DEPOSITION WAS ADJOURNED AT 4:55 P.M.)
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--000--

I HAVE READ THE FOREGOING DEPOSITION. THE
ANSWERS TO THE QUESTIONS ARE TRUE OF MY OWN KNOWLEDGE. I
DECLARE UNDER THE PENALTY OF PERJURY; THAT THE FOREGOING
DEPOSITION IS TRUE AND CORRECT.

SIGNATURE OF WITNESS.

DATE OF SIGNATURE.

--000--

() THE DEPONENT FAILED TO APPEAR IN ORDER TO APPROVE OR
SIGN HIS/HER DEPOSITION.

() THE DEPONENT REFUSED TO APPROVE OR SIGN HIS/HER
DEPOSITION FOR THE FOLLOWING REASON: _____

() THE DEPONENT APPROVED HIS/HER DEPOSITION BY THE
LETTER ATTACHED HERETO AND MADE A PART OF THE DEPOSITION
HEREIN.

--000--

1 STATE OF CALIFORNIA)
2) SS.
3 COUNTY OF SONOMA)


4 I, JUDITH S. DOUTHIT, A CERTIFIED SHORTHAND
5 REPORTER, NO. 4531, LICENSED BY THE STATE OF CALIFORNIA,
6 EMPOWERED TO ADMINISTER OATHS AND AFFIRMATIONS PURSUANT TO
7 SECTION 2093(B) OF THE CODE OF CIVIL PROCEDURE, DO HEREBY
8 CERTIFY THAT

9 GERALD ARMSTRONG,

10
11 A WITNESS IN THE FOREGOING DEPOSITION, WAS BY ME DULY SWORN
12 TO TESTIFY THE TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE
13 TRUTH IN THE WITHIN-ENTITLED CAUSE; THAT SAID TESTIMONY OF
14 SAID WITNESS WAS REPORTED BY ME, A DISINTERESTED PERSON, AND
15 WAS THEREAFTER TRANSCRIBED UNDER MY DIRECTION INTO
16 TYPEWRITING.

17 I FURTHER CERTIFY THAT I AM NOT OF COUNSEL OR
18 ATTORNEY FOR EITHER OR ANY OF THE PARTIES IN THE FOREGOING
19 DEPOSITION AND CAPTION NAMED, NOR IN ANY WAY INTERESTED IN
20 THE OUTCOME OF THE CAUSE NAMED IN SAID CAPTION.

21
22 DATED THE 15TH DAY OF MARCH 1992.

23
24
25 
26 JUDITH S. DOUTHIT, CSR NO. 4531

DOUTHIT & BARBALACCI
CERTIFIED SHORTHAND REPORTERS
(415) 543-1775
(707) 573-3082

MARCH 16, 1992

GERALD ARMSTRONG
711 SIR FRANCIS DRAKE BOULEVARD
SAN ANSELMO, CA 94960

RE: STEVEN HUNZIKER, ET AL. VS. APPLIED MATERIALS, INC., ET
AL.


DEAR MR. ARMSTRONG:

YOUR DEPOSITION TAKEN IN THE ABOVE MATTER HAS
BEEN TRANSCRIBED. THIS DEPOSITION WILL BE AVAILABLE AT OUR
OFFICE FOR READING AND SIGNING BY YOU FOR A PERIOD OF 35
DAYS, AFTER WHICH TIME THE ORIGINAL WILL BE SEALED AND SENT
TO THE OFFICES WHICH NOTICED THE DEPOSITION, IN ACCORDANCE
WITH SECTION 2025 (S) (1) OF THE CALIFORNIA CODE OF CIVIL
PROCEDURE.

IF IT IS MORE CONVENIENT FOR YOU, YOU MAY READ
YOUR ATTORNEY'S COPY OF THE DEPOSITION.

PLEASE DON'T HESITATE TO CALL OUR OFFICE IF YOU
HAVE ANY QUESTIONS.

VERY TRULY YOURS,


JUDITH S. DOUTHIT, CSR

CC: ALL COUNSEL